MEETING DATE: 7-2-13

AGENDA ITEM: 4 & 5



CITY OF FAIRFAX

Department of Community Development & Planning

Special Exception SE-13050024 Special Exception SE-13060072 Variance V-13060021

PUBLIC HEARING DATE

July 2, 2013

APPLICANT

Cory Bartelt, property owner

AGENT

N/A

PARCEL DATA

Tax Map ID 47-4-((07))-O-001

Street Address 10315 Tecumseh Lane

Zoning District
R-3 Residential District

APPLICATION SUMMARY

The applicant requests Board of Zoning Appeals approval, pursuant to City Code Sections 110-518 and 110-369, for a Special Exception to City Code Section 110-517(3) to reduce the front yard building restriction line to 19 feet where 25 feet is required to construct an attached two-car garage; pursuant to City Code Sections 110-390 and 110-369, for a Special Exception to City Code Section 110-389(f) to allow an existing storage shed to remain three feet from the side property line where a minimum of five feet is required; and pursuant to City Code Section 110-1103(2) for a Variance to allow the proposed garage to be located five feet from the existing storage shed where a minimum separation of seven feet is required.

STAFF RECOMMENDATION

Garage

Based on the analysis of the criteria outlined in City Code Sections 110-369 and 110-1103, staff recommends <u>denial</u> of the applicant's Special Exception request to reduce the front yard building restriction line to 19 feet and <u>denial</u> of the Variance request to allow the proposed garage to be located less than seven feet from the existing shed. Shed

Based on analysis of the criteria outlined in City Code Section 110-369, staff recommends <u>approval</u> of the applicant's Special Exception request to allow the existing shed to be located three feet from the side property line, subject to the condition that the applicant shall limit the shed's use to only store pool-related supplies and materials, and the applicant shall maintain the privacy fence along the side property line.

BACKGROUND INFORMATION

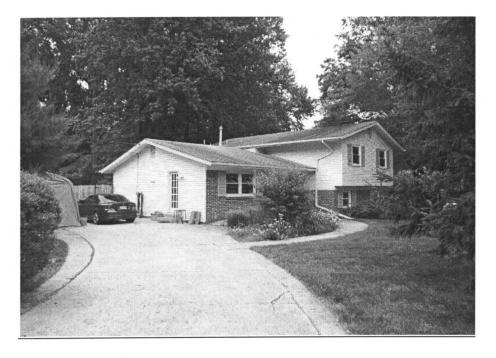
The subject property is located in the R-3 Residential District on 0.32-acres in the Mosby Woods subdivision. The subject property is situated on a corner lot and was developed with a single-family detached residence in 1963 containing approximately 2,107 square feet of living space. The applicant plans to make interior and exterior renovations to the existing residential structure that include a by-right master bedroom suite on the second storey of the home and construction of a one-story, attached two-car garage. The proposed garage measures 28 feet in length by 28 feet in width for a total square footage of 784 square feet and an overall height to the peak of the roof of 17 feet. The southwest corner of the proposed garage encroaches into the required 25-foot front setback and would be located approximately 19 feet from the property's Tecumseh Lane frontage. In addition, the separation between the proposed garage and the existing shed (proposed to remain) would measure approximately five feet where a minimum separation of seven feet is required. Therefore, the applicant is requesting approval of a Variance to reduce the minimum separation requirement.

The proposed garage design includes a direct entrance into the kitchen on the first floor of the existing residence as well as a direct entrance to the rear yard. Construction materials for the proposed garage and master bedroom suite addition include 4 ½" Dutch lap vinyl siding and charcoal grey architectural asphalt shingles. The proposed garage would allow the applicant to park two vehicles within the garage and provide additional storage areas for household items. The temporary storage tent currently located on the existing driveway will need to be removed since the ordinance does not provide for long-term use of temporary storage tents.

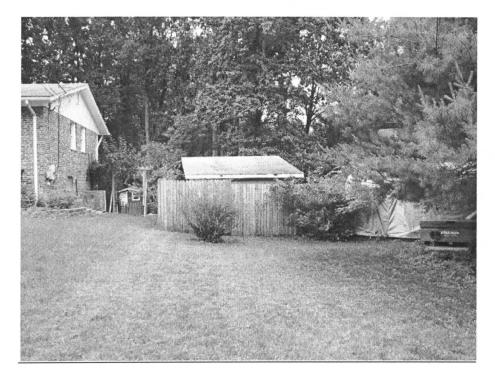
There is an existing shed located in the side yard from the Tecumseh Lane frontage that was installed by the previous owner. The shed measures 12'3" in length by 8'3" in width for a total size of 102 square feet and an overall height to the peak of the roof of approximately 10 feet. City Code Section 110-36 permits accessory structures, including storage sheds that are less than 12 feet in height and with side walls less than 8'6" in height, to be located no closer than five feet to any side or rear property line. In this case, the existing shed was improperly located three feet from the side property line by the previous owner. According to the applicant, the shed currently houses pool-related materials for the swimming pool that is also currently located behind the residential structure.



View of the front of the residential structure.



View of the side of the residential structure along the Tecumseh Lane frontage where the proposed garage would be constructed.



View of the Tecumseh Lane frontage of subject property and existing shed in relation to adjacent residential structure.

REQUEST

The applicant has submitted three applications seeking relief from the City's standards for the R-3 District and accessory structure regulations. The applicant requests a Special Exception to City Code Section 110-517(3) to reduce the front yard building restriction line to 19 feet where a 25-foot-wide setback is required. The applicant requests approval of a Variance to allow the proposed garage to be located approximately five feet from the existing storage shed where a minimum separation of seven feet is required. The applicant requests approval of a Special Exception for relief from City Code Section 110-389(f) to allow the existing shed to remain three feet from the side property line where a minimum setback of five feet is required.

ANALYSIS OF SPECIAL EXCEPTION CRITERIA

The staff recommendation for this application is based on an analysis of the applicable standards in City Code Section 110-369(6) for review of Special Exception requests as applied to the applicant's requests for reduction of the required front yard for the proposed garage and reduction of the required side yard for the existing shed to remain three feet from the side property line:

a) The site for the proposed use is adequate in size and shape, and the proposed use will not negatively affect adjacent property or the surrounding area.

As currently improved, the subject property is adequate in size and shape to meet the R-3 Residential District minimum standards for lot size and lot width. The subject property is located on a corner lot facing both Tecumseh Lane and Brigade Drive and as a corner lot, it is considered to have two front

yards and two side yards. The existing residential structure meets the R-3 District setback requirements. The existing shed that will remain behind the proposed addition does not meet the minimum required five foot side setback.

Proposed Garage

The applicant is requesting a Special Exception for relief from the minimum front yard along Tecumseh Lane to allow a 19-foot front setback where 25 feet is required. The subject site is not adequate in size and shape to accommodate the proposed addition that enlarges the principal structure beyond the 25-foot building restriction line.

Based on consultation with the City's Office of Building Code Administration, staff understands that the minimum dimensions for a two-car garage measure about 20' x 20' while more commonly two-car garages with storage area measure about 24' x 24'. Reducing the width and depth of the garage to 24 feet would reduce the extent of the encroachment into the required front yard to two feet instead of the six feet of encroachment requested. Additionally, the Variance request for reduction of the minimum seven foot separation between the proposed garage and the existing shed would not be required since at least seven feet would separate a smaller garage from the existing shed.

Staff believes the subject property is not adequate in size and shape to accommodate the proposed 28' x 28' two-car garage and that the extent of the proposed front yard reduction would negatively affect adjacent property and the surrounding area.

Existing Shed

The existing 102-square foot shed with an overall height of approximately 10 feet was improperly located by the previous owner three feet from the side property line. The existing swimming pool and deck behind the residential structure limit the alternatives for relocation of the shed. However, staff believes that the existing six-foot-tall wooden privacy fence provides some screening of the shed that is beneficial to the adjacent property. Relocating or eliminating the shed would more effectively benefit the adjacent property and eliminate the conflict with separation from the proposed addition.

Staff finds that the size and shape of the subject property, at the time of the shed's construction, was adequate to support the required setback. The affect on the adjacent property of the shed's noncompliant setback is mitigated by the existing screening fence.

b) The Special Exception will not be inconsistent with the objectives specified in the Comprehensive Plan.

Proposed Garage

Within the City's Comprehensive Plan, Objective HOU-2 encourages the preservation and enhancement of the City's housing stock while respecting traditional neighborhood characteristics. Furthermore, Objective HOU-4 encourages the upgrading of the existing housing stock. The addition of a garage and supplemental storage area is expected to improve the overall value of the property. However, reduction of the City's standard for the required front yard is needed to accomplish the proposed addition. A smaller addition would still contribute to a property upgrade.

Staff finds that the applicant's request to construct an addition for vehicle and household storage is consistent with the objectives of the Comprehensive Plan, but is not in keeping with the City's standard for the R-3 District.

Existing Shed

As constructed, the existing shed (wooden frame, wood plank siding, shingle roof) enhances the property's overall value despite its noncompliance with the required side setback.

Staff believes the applicant's request to allow the existing shed to remain is not inconsistent with the objectives of the comprehensive Plan to enhance properties in existing neighborhoods.

c) The applicant has demonstrated that the requirements of this chapter are unreasonable or impractical due to unusual building design, lot shape or mature vegetation; or there are practical siting constraints where original placement of the dwelling on the lot prohibits reasonable improvements that meet existing requirements.

Proposed Garage

The applicant's request has demonstrated that due to original placement of the existing improvements the proposed addition cannot meet the existing requirement. However, the applicant could choose to reduce the width and depth of the proposed garage and accomplish the addition of storage space for vehicles and household items with less regulatory relief. Additionally, by reducing the proposed dimensions to 24' x 24,' the Variance request would be made moot as the resultant separation of nine feet between structures would exceed the minimum requirement.

Staff believes that the applicant's proposal to reduce the required front yard is more than the minimum regulatory relief needed to provide storage space for vehicles and household items on the subject site.

Existing Shed

The unapproved side yard reduction created by the existing shed's location does not meet this criterion for special exception relief. Further, the applicant's proposed addition provides an opportunity to increase storage capacity and eliminate the need for a free-standing storage structure. However, the existing six-foot-high wooden fence provides some screening of the shed from the adjacent residential structure that supports allowing the shed to remain.

Staff finds that the extent of other property improvements limit the alternatives for relocation of the existing shed to meet the required five-foot side setback. However, staff believes the proposed addition provides an opportunity to eliminate the need for a free-standing storage structure.

- d) The proposed structural modifications meet sound residential design objectives to:
 - 1. Minimize loss of privacy on neighboring properties.

Proposed Garage

At the closest point, the northwestern corner of the garage would be located approximately 30 feet from the adjacent residential structure. The garage design provides for one window and one door on the rear elevation of the addition. These features will face into the fenced area behind the addition and are not expected to reduce privacy for the adjacent property.

Staff believes the addition, as proposed, would minimally contribute to loss of privacy for the adjacent property since the front yard reduction brings the structure closer to the Tecumseh Lane frontage of the subject site, and a garage will enclose activity associated with vehicle storage.

Existing Shed

The existing shed is used for storage of pool supplies and materials and the applicant has indicated this seasonal use would continue as the shed's primary purpose. Although the required setback has been reduced to three feet the wooden privacy fence helps to minimize the loss of privacy on the adjacent property.

Staff believes that the loss of privacy for the adjacent property created by the shed's proximity to the side lot line is mitigated by the wooden screening fence.

2. Maximize image of quality residential development to the street frontage.

The proposed improvements enhance the image of quality residential development to the street and would result in an upgrade to the existing residential development on the subject site. However, the visibility of existing shed's roof from the public street (Tecumseh Lane) does not contribute positively to the image of quality residential development to the street frontage.

Staff finds that the proposed garage would result in an upgrade to the existing residential structure and would maximize the image of quality residential development to the street frontage. The existing shed, however, does not maximize such image of quality residential development to the street.

3. Maximize window area from living rooms, dining rooms, kitchens, dens and family rooms facing the street, within the context of the original building design.

The locations of the proposed garage and the existing shed would not affect the window areas from the existing home that face the street. The garage elevation does not show window area facing the street and the existing shed is windowless.

Staff believes the absence of windows or other residential design features does not contribute to the residential character of the addition or the neighborhood.

4. Avoid reduction of light and air to neighboring properties.

The existing 102-square-foot shed with an overall height of approximately ten feet does not significantly reduce air and light to the adjacent property despite being located closer to the property line than City standard allows. However, adding the proposed 784-square foot addition with an overall height of 17 feet would reduce the amount of air and light available to the adjacent property. The negative impact of this reduced light and air could be minimized by construction of a smaller garage addition.

Both the proposed garage and the existing shed would result in a reduction of light and air to the adjacent property; however, the reduction associated with the shed is minimal compared to that of the garage.

5. Minimize development of front yard as driveways.

The applicant's proposal to construct a 28' x 28' two-car garage necessitates an increase in the width of the existing driveway. Currently, the existing concrete driveway measures approximately 68 feet in length and varies in width from 13 feet to 19 feet. As part of the planned improvements to the property, the proposed garage location will cause shortening of the driveway. The width of the driveway will be increased to approximately eight feet at the widest portion near the garage doors and will narrow in width to tie into the existing driveway. The length of the expanded driveway area is 25 feet. The existing driveway and proposed extension would not exceed the 25% maximum surfaced area limitation for driveways in the front yard.

The proposed construction of the garage would increase the width of the existing driveway, but would reduce the overall length of the current driveway due to the location of the proposed garage over part of the current driveway.

ANALYSIS OF VARIANCE CRITERIA

(NOTE: The Virginia Code was amended in 2009 with respect to the criteria for evaluating variance requests and the approach of confiscation is no longer the condition of circumstance that would result if the variance was not granted).

The staff recommendation for this land use request is based on an analysis of the applicable standards for Variance approval provided in City Code Section 110- 1103(2) as follows:

a) The strict application of this chapter would produce undue hardship relating to the property;

The applicant's proposal to construct the 28' x 28' two-car garage would result in the garage being located approximately five feet from the existing shed where a seven-foot separation is required. City Code Section 110-389(f)(6) specifies that a seven-foot-wide separation must exist between accessory structures (including sheds) and all other structures. Generally "undue hardship" is found when characteristics, conditions, or circumstances of the property beyond the owner's control preclude compliance with the development standards. The size and location of the proposed garage are at the owner's discretion. Reducing the dimensions of the garage from 28' x 28' to 24' x 24' would provide a nine-foot separation between the structures and comply with the regulation.

Staff believes that the applicant would not suffer an undue hardship by having to reduce the size of the proposed garage to comply with the seven-foot separation requirement between structures.

b) That such hardship is not shared generally by other properties in the same zoning district and the same vicinity;

The characteristics or conditions unique to this property that constrain compliance with the seven-foot separation requirement have not been established by the owner or by staff's scrutiny.

Staff finds that there is no undue hardship not presently shared by other properties in the vicinity and same zoning district.

c) That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by granting the variance.

The seven-foot-wide separation requirement has existed in the City Code since 1956 despite its vague legislative history. The City's Building Code Official has opined that the regulation may have been intended to support fire safety by having a minimum distance requirement between structures and to allow maintenance in the area between the structures (eg. trash/debris removal, lawn mowing, etc.). In the absence of proper maintenance and safety from fire hazard a substantial detriment to the adjacent property may occur. Notwithstanding the challenges to administration and enforcement of this regulation the fact-of-the-matter is that relief requires justification under application of the Variance criteria which indicates the stringency of the standard. Staff believes that granting Variances to this standard without meeting the applicable criteria would change the character of the R-3 District by setting precedent to allow unrestricted placement of accessory structures in relation to other structures on individual R-3 properties.

Staff believes that granting this request could become substantially detrimental to the adjacent property. Also, Staff believes there are optional designs for the addition that could eliminate the variance request.

CONCLUSIONS

Special Exceptions

Based on the review of City Code Section 110-369(6) as it pertains to applications SE-13050024 and SE-13060072, staff concludes that:

- 1. The proposal for an improvement that is intended to upgrade the subject site is consistent with the recommendations of the *Comprehensive Plan* to reinvest in existing properties. However, the extent of the request for relief from the City standard is not consistent with Plan objectives to preserve existing neighborhood character.
- 2. The site is adequate for the existing residential use and proposed by-right additions; however, the site is inadequate in size and shape to accommodate the proposed addition.
- 3. The proposal for reduction of the required front yard will set a precedent for granting relief that could negatively affect standards for neighborhood improvement and the streetscape.
- 4. The applicant has not demonstrated that the requirements of this chapter are unreasonable or impractical due to unusual building design, lot shape or mature vegetation; or there are practical siting constraints where original placement of the dwelling on the lot prohibits reasonable improvements that meet existing requirements.
- 5. The proposal to reduce the required front yard to 19 feet where 25 feet is required does not maximize quality residential development to the streetscape.

Special Exception SE-13050024
Special Exception SE-13060072
Variance V-13060021

Variance

Based on the review of City Code Section 110-1103 as it pertains to application V-13060021, staff believes that the applicant has failed to demonstrate that strict application of the ordinance would produce an undue hardship relating to the property and that to grant such a variance would not be of substantial detriment to the adjacent residential structure.

RECOMMENDATION

Garage

Staff recommends <u>denial</u> of the applicant's Special Exception request to reduce the required front yard setback to 19 feet and the Variance request to allow the proposed garage to be located less than the seven-foot minimum separation requirement from the existing shed. The proposed garage could be reduced in size to provide a larger front yard and by reducing the dimensions of the garage, the minimum seven-foot separation requirement could be met between all structures.

Shed

In consideration of the conformance of this proposal with the applicable standards of the R-3 Residential District zoning regulations, staff recommends <u>approval</u> of the applicant's Special Exception request to allow the existing shed to be located three feet from the side property line, subject to the condition that the applicant shall limit the shed's use to only store pool-related supplies and materials, and the applicant shall maintain the privacy fence along the side property line.

PREPARED BY: Heidi M. Waugh Planner II	6-27-13 DATE
REVIEWED AND APPROVED: Michelle D. Coleman Zoning Administrator	6-37-13 DATE
REVIEWED AND APPROVED:	
David B. Hudson, AICP Director, Community Development & Planning	DATE

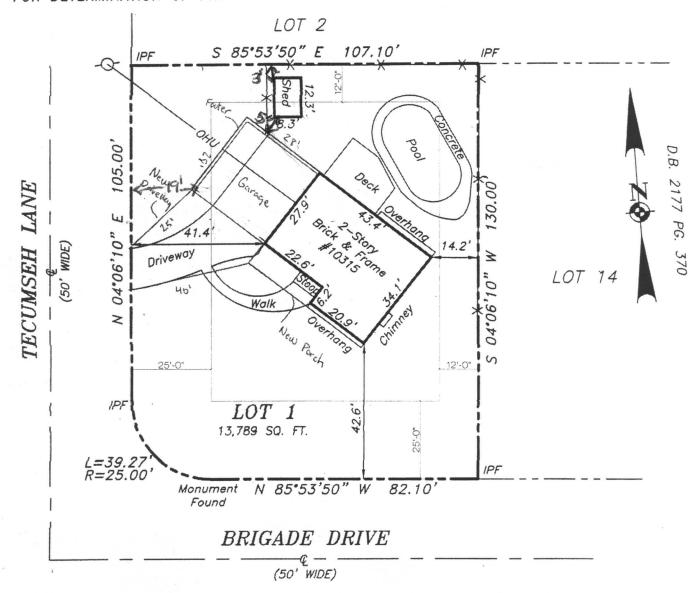
Special Exception SE-13050024 Special Exception SE-13060072 Variance V-13060021

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ATTACHMENTS

- 1. Plat
- 2. Location Map
- 3. Application
- 4. Applicant's Statement of Support
- 5. Photos
- 6. Plans
- 7. Sample Resolutions
- 8. Sample Motions

THIS HOUSE LOCATION SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO REFLECT ALL EASEMENTS, ENCUMBRANCES OR OTHER CIRCUMSTANCES AFFECTING THE TITLE TO THE SUBJECT PROPERTY AND IS NOT INTENDED TO BE USED AS AN AID FOR THE CONSTRUCTION OF FENCES OR ANY OTHER IMPROVEMENTS. FENCES SHOWN HEREON ARE APPROXIMATE AND ARE NOT TO BE USED FOR DETERMINATION OF PROPERTY LINES.



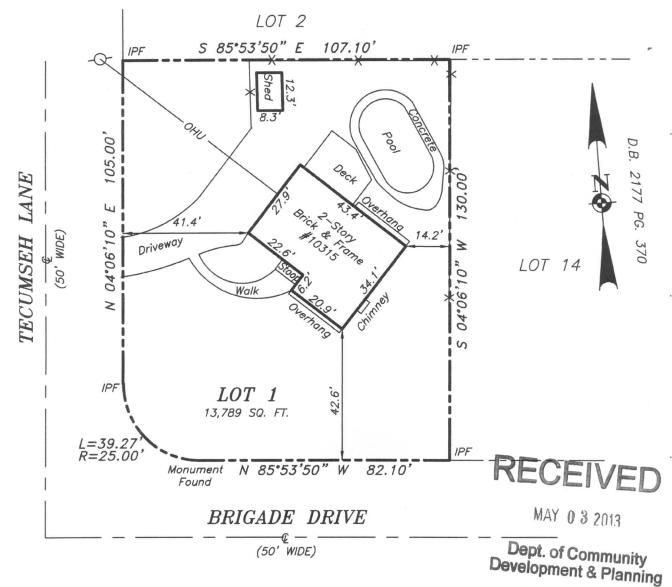
NOTES:

- 1. CURRENT OWNER: THOMAS DONALD AND MARYANN R. HOUGH, D.B. 6147 PG. 325.
- 2. THIS PROPERTY IS CLASSIFIED AS ZONE X, AN AREA OF MINIMAL FLOOD HAZARD IN ACCORDANCE WITH FLOOD HAZARD BOUNDARY MAP NO. 5155240002 C.
- 3. BEARINGS BASED ON THE RECORD PLAT OF SECTION FIVE, MOSBY WOODS, D.B. 2177 PG. 370.
- 4. IPF: DENOTES IRON PIPE FOUND.
- 5. THIS SURVEY IS A GRAPHIC DEPICTION OF THE LOCATION OF IMPROVEMENTS ONLY. NO CORNER MARKERS SET.



I HEREBY CERTIFY THAT THE POSITION OF ALL THE EXISTING IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY ELECTRONIC EQUIPMENT AND/OR TRANSIT-TAPE SURVEY AND THAT UNLESS OTHERWISE SHOWN,

THIS HOUSE LOCATION SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO REFLECT ALL EASEMENTS, ENCUMBRANCES OR OTHER CIRCUMSTANCES AFFECTING THE TITLE TO THE SUBJECT PROPERTY AND IS NOT INTENDED TO BE USED AS AN AID FOR THE CONSTRUCTION OF FENCES OR ANY OTHER IMPROVEMENTS. FENCES SHOWN HEREON ARE APPROXIMATE AND ARE NOT TO BE USED FOR DETERMINATION OF PROPERTY LINES.



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Modification Date: Mar 22, 2011 11:50

Modification Date: Apr 20, 2011 10:01

Scale: 1 inch = 30.0 feet

Distance between tick marks: 30.04 feet

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Dept. of Community Development & Planning USE APPLICATION CITY OF FAIRFAX

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Application No. 13050024	[7
V- 130600 211	Garage
V-130600 21 1 SE-1306007	2/shell

	CITY OF FAIRFAX	100600 21 L
0 0 +11	10	SE-13060072/S
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(name of applicant	(authorized	agent's name and relationship to applicant)
a corporation / general partnership / limite		ship/individual (circle one) Which is the
property owner contract purchaser / lesse	ee (circle one)	47 4 07 0001
of 10315 Tecumseh In Fait	22030 / Tax Mar	# 97-9-01000
(add	ress and tax map # of subject property)	
hereby apply for a Special Use Permit/Spec	ial Exception Variance (circle one)	pursuant to
Section $110-517-36$ of the City C	ode to allow (describe request)	Reduction of pulding
Restriction line from 25+	eet to 19 feet to bui	ild an attached z-cur go
City Code References: +of	educe sidesetbal	k the shed and
Restriction line from 25 to City Code References: and special exception of the City Code References: 3 Van an ce two shedis	location to proposed	d garage (FAD)
Com Kutto		
(signature of applicant or authorized agent)		(title or relationship)
Address 10315 Tecumseh	In Fairley, VA 22030 F	Phone: 703 862 2679
THE FOLLOWING MUST	T BE COMPLETED BY THE P	ROPERTY OWNER
I/We Cory Boutelt by_	myself	hereby certify that the applicant
named above has the authority vested by m	e to make this application.	
Cum Math		
(signature of owner or authorized agent)	, , , bt	(title or relationship)
Address 10315 Technisely	n tantex, VA 22030	Phone: 703 862 2679

FOR OFFICE USE ONLY

Proposal filed:	Received by: _adl
Previous Cases:	
Current status of business license and fees: Treasurer: Real Estate Taxes Due 6/21/13=\$ 2359.03 - Commissioner of Revenue: Productly Willer Sepuriones & Of the office. Induction	Everything Else is paid. OBel 5/22/13 has med the feling

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MAY 0 3 2013

AFFIDAVIT CITY OF FAIRFAX

Dept. of Community Development & Planning

I, Cory Burtet , by_	(name of applicant or agent) do hereby	make oath or affirmation that
I am an applicant in Application No belief, the following information is	umberand that to	the best of my knowledge and
1. (a) That the following is a list purchasers, and lessees of the proper trustee, each beneficiary having at architects, engineers, planners, surv foregoing with respect to the application.	n interest in such land, and all at eyors, and all other agents who have	d if any of the foregoing is a torneys, real estate brokers, e acted on behalf of any of the
Name 2 1 14	Address	Relationship
Chan Bartell 103 Chan Bartelt 103	15 Tecumsel In	Owner
(b) That the following is a list of th (10) percent or more of any class of ten (10) or less stockholders, a listing Corporation Name:	stock issued by said corporation, an ng of all the stockholders (attach ac	d where such corporation has dditional pages if necessary):
Name	Address	Relationship
(c) That the following is a list of foregoing (attach additional pages	all partners, both general and limit if necessary):	ed, in any partnership of the
Partnership Name: NA	-	
Name	Address	Relationship

2. That no member of the City Council, Planning Commission, BZA, or BAR has any interest in the outcome of the decision. EXCEPT AS FOLLOWS: (If none, so state.)
None
100
3. That within five (5) years prior to the filing of this application, no member of the City Council, Planning Commission, BZA, or BAR or any member of his or her immediate household and family, either directly or by way of a corporation or a partnership in which anyone of them is an officer, director, employee, agent, attorney, or investor has received any gift or political contribution in excess of \$100 from any person or entity listed in paragraph one. EXCEPT AS FOLLOWS: (If none, so state.)
None
WITNESS the following signature: Applicant or Agent Applicant or Agent
ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.
The above affidavit was subscribed and confirmed by oath or affirmation before me on this
My commission expires: 13114 My Commission expires: 13114 Notary Public/Registration #



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MAY 0 3 2013

Dept. of Community
Development & Planning

Chan & Cory Bartelt

10315 Tecumseh Ln

Fairfax, VA 22030

April 26, 2013

Members of the City of Fairfax Board of Zoning Appeals,

We are looking to do a modern master bedroom and two car garage addition. We are requesting the board to consider a reduction of the 25 foot setback restriction along Tecumseh Lane down to 19 feet from the front yard. Most of the structure will be within the setback line with the exception of the right corner of the garage which needs to be 6 feet outside the setback line.

This request of a 19 foot setback will permit us to build a garage, allowing us to use the garage for parking of 2 cars plus other items associated with our soon to be growing family. The additional space inside the garage is essential to the use of the side entrance due to the lack of a mudroom. This is a corner lot and the garage would be constructed in what most would consider a side yard.

The attached 2-car garage will be constructed at the end of the existing house structure. Adding the structure in this location will

- Permit the structure to be tied into the current kitchen.
- Not change the architectural style of the house and not differ from the current character of the neighborhood.
- Preserve the current driveway and existing driveway curb apron.
- Be least disruptive to neighbors as it borders a street.

Other possible locations for the addition would be further in the backyard. This location is not desirable for the following reasons.

- Adding a garage in this location would not allow proper connection to the existing structure.
- Reduction of private usable green space.
- Reduction of privacy for back-door neighbor as structure would begin to encroach on that property.

In addition, the shed on our property was built by the previous owner. It is consider as an accessory structure that doesn't exceed 8'6" in height. According to (Section 110-389(f)(3)) and Section 110-389(f)(6) of the zoning regulation, the shed is non-compliance. However, it is very necessary to keep pool chemicals safely stored away from the living space, especially with our plan to expand the family.

It is currently placed 3 feet from the side yard instead of the 5 feet as required by regulation. The addition, with the garage in place, the shed will also be non-conforming to the 7 feet requirement to a principal structure. At its current placement, it will be 6 feet from the primary structure.

With that said, we want to request for an exception and a variance change of the shed from 7 feet from primary structure to 6 feet and reduce the side yard limit from 5 feet to 3 feet. Because this is a corner lot with two front yards, the back of the house green space is limited. By moving the shed, it will reduce the available private green space in the back of the house. We feel that this variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by granting the variance. It is currently over 12 feet away from our neighbor's primary structure.

The City of Fairfax Neighborhood Renaissance Programs were created to help City of Fairfax homeowners modernize and improve their homes. We believe our request to add a 2-car garage; along with modernizing master bedroom suite, will bring this home more in line with newer homes being constructed today.

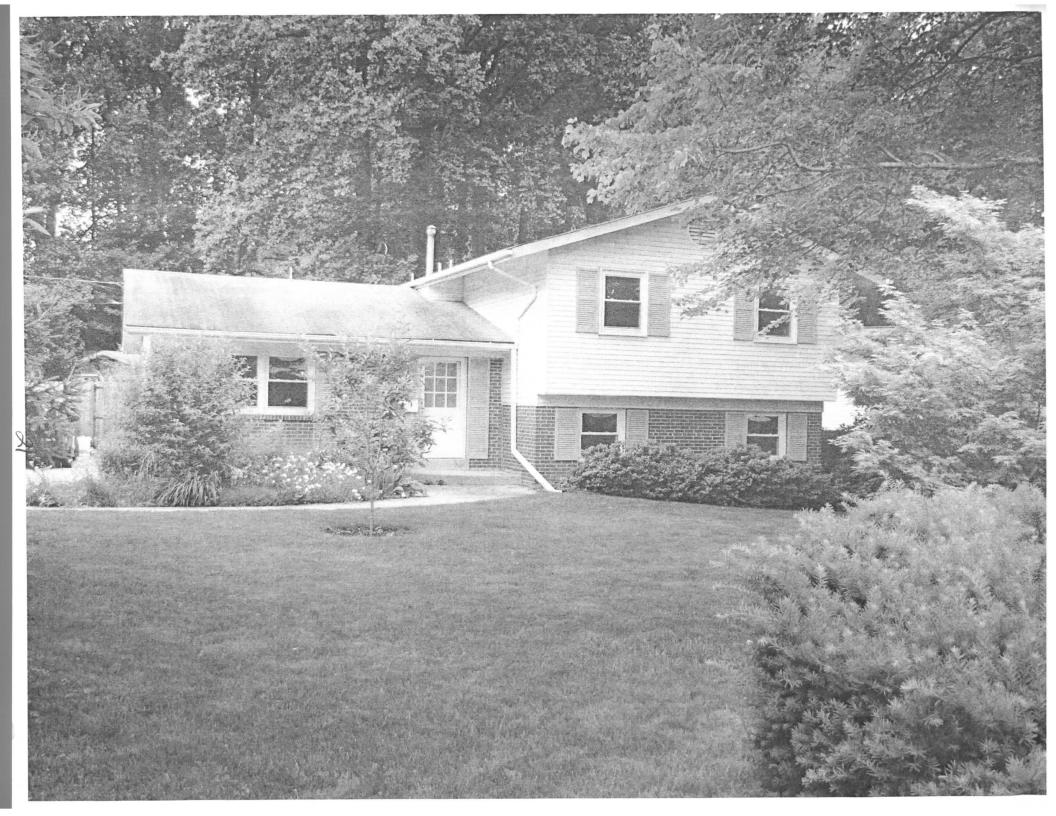
This garage will be used as a garage only and never be converted into living space. The addition of the garage, along with the addition of master bedroom would increase the assessed value of the house, thereby increasing tax revenue for the City of Fairfax.

Thank you for your consideration of our request for an exception to the front-yard setback regulation in order to add a 2-car garage and the variance of the shed location.

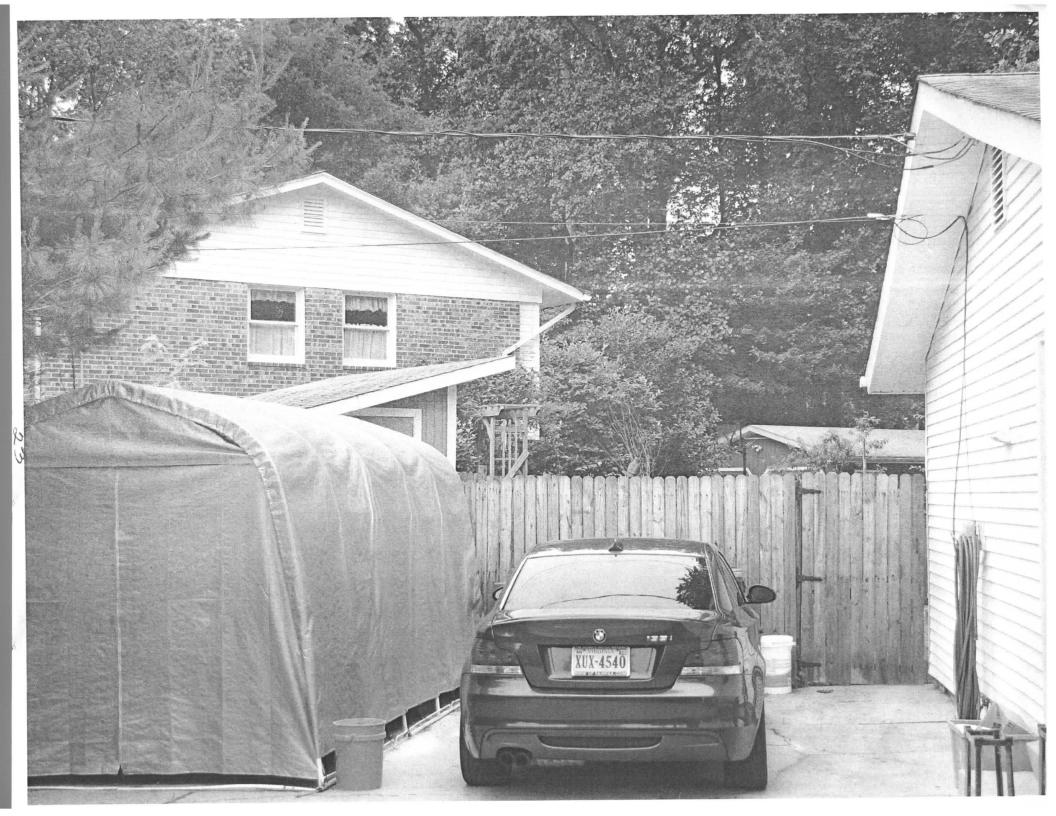
Regards,

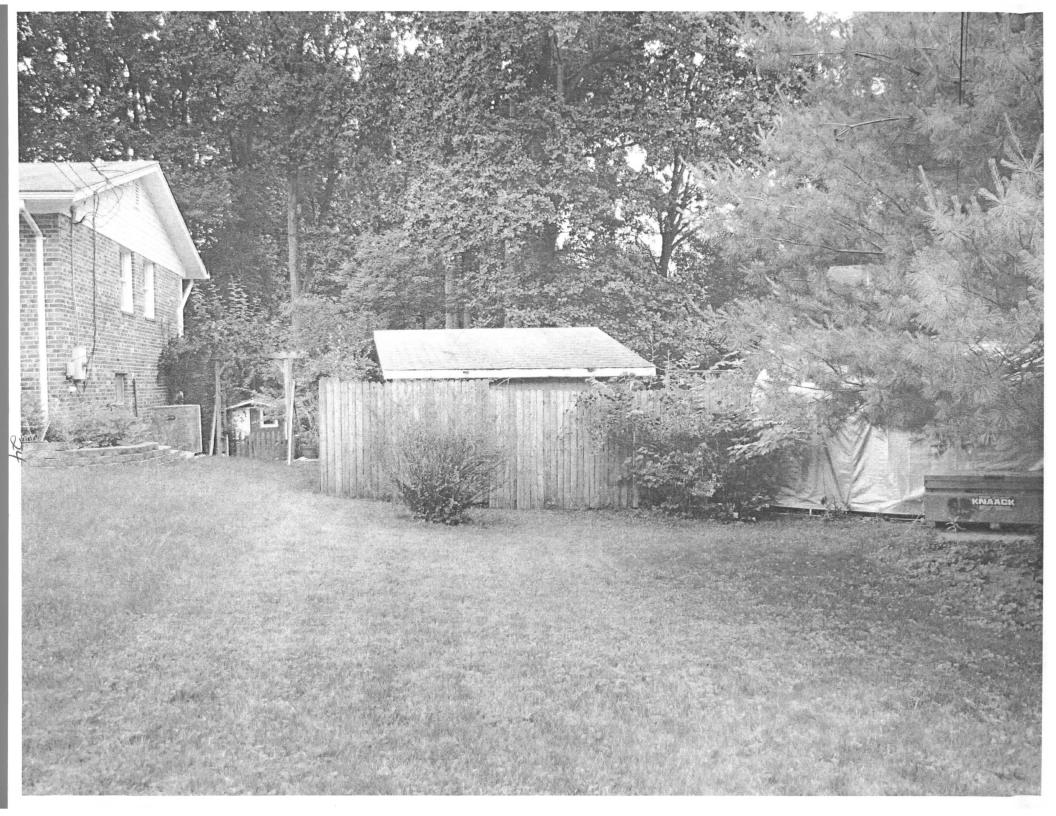
Chan & Cory Bartelt

Con Bant









Dept. of Community Development & Planning

DESIGN INFORMATION

OWNER/CONTRACTOR

CORY BARTELT 703.862.2679

PREPARED BY

DRAWING INDEX

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FOUNDATION PLANS
FROM ROCK PRANTING &
FECTING FOR PRANTING &
ACCORPANTING &

DRAWING STANDARDS

ADAM CRAIN 540.818.5087 ADAM@2PLYS.COM

SCOPE OF WORK

MASTER SUITE ADDITION ABOVE KITCHEN & GARAGE ACCITION TO EXISTING SINGLE FAMILY RESCENCE.



PROJECT INFORMATION

CODE/ ANALYSIS

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ADDRESS

10315 TECUMSEH LANE, FAIRFA VA 22030

SITEPLAN

LOCATION PLAN



10315 Tecumseh Lane Fairfax, VA 22030

[202]-670-2PLY

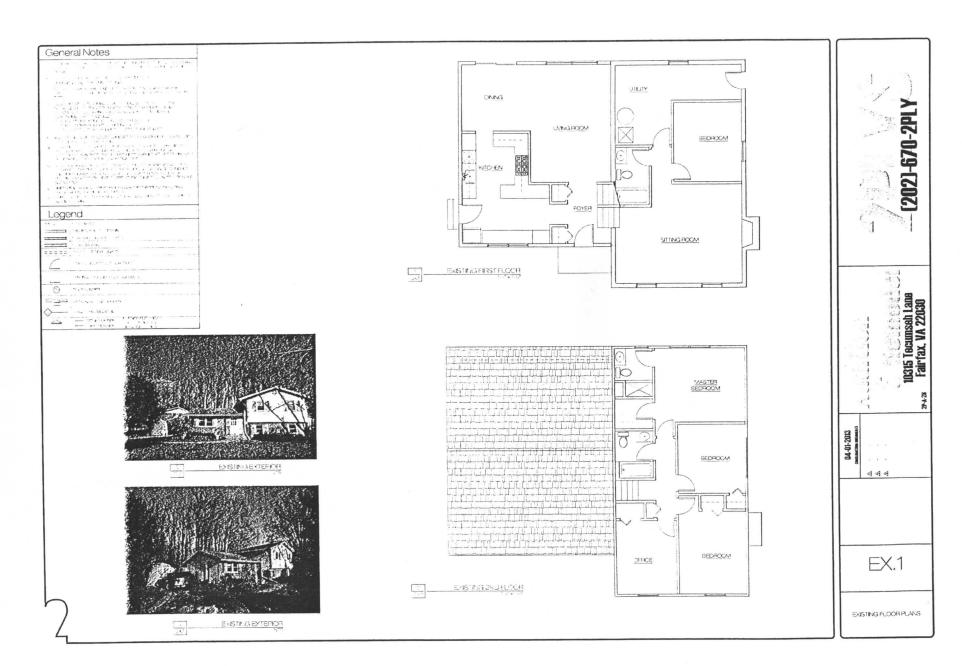
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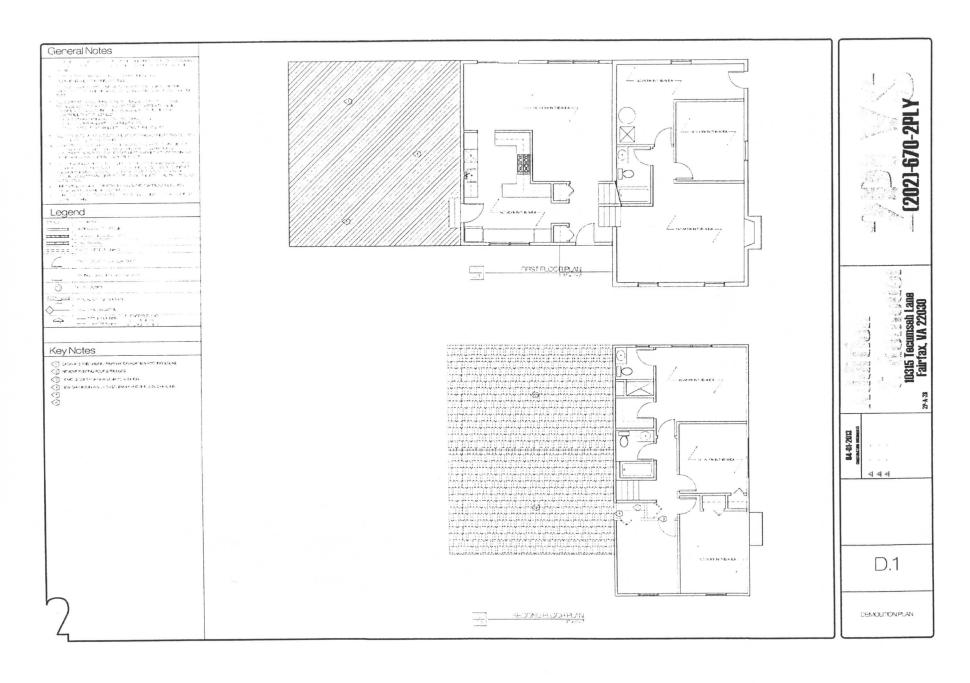
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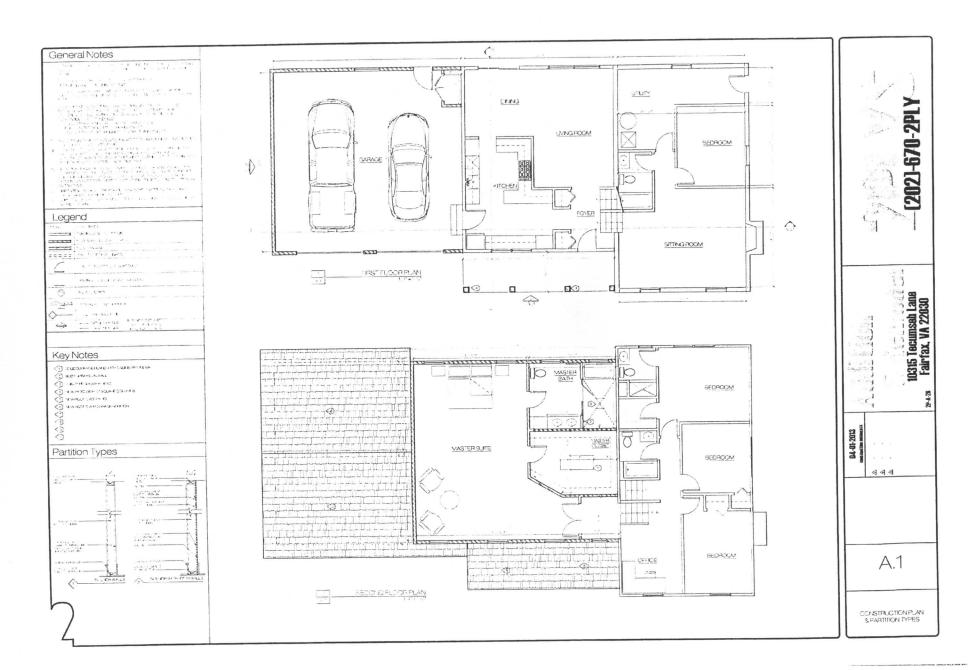
COVER SHEET & CODE ANALYSIS

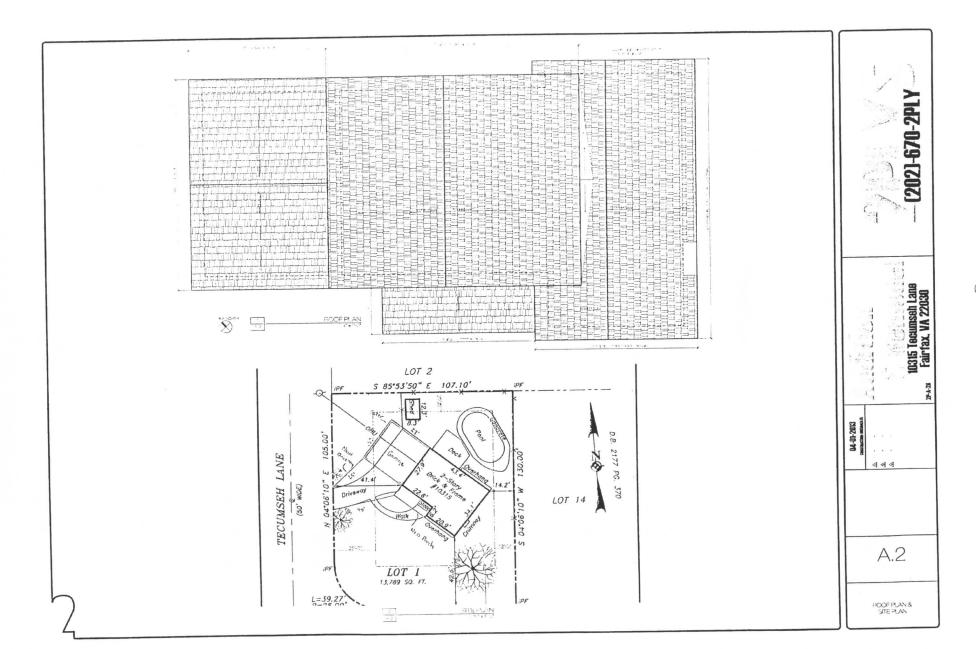




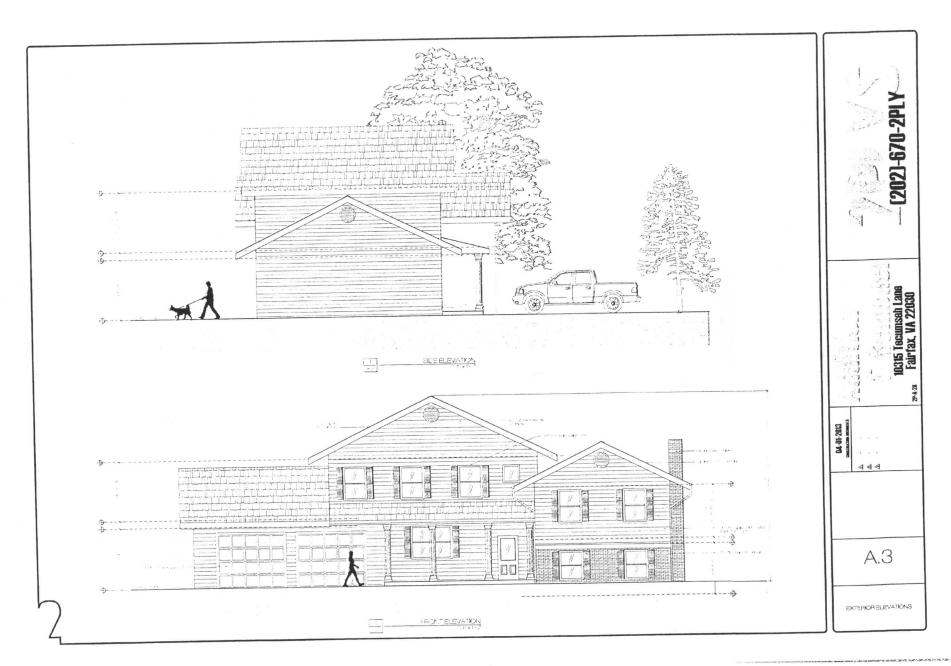


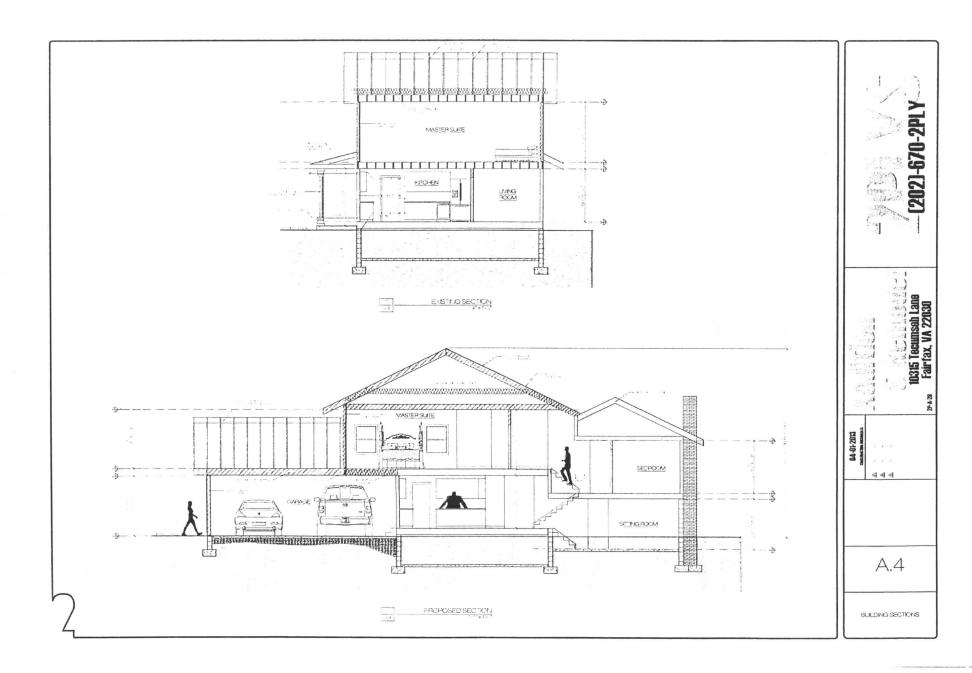


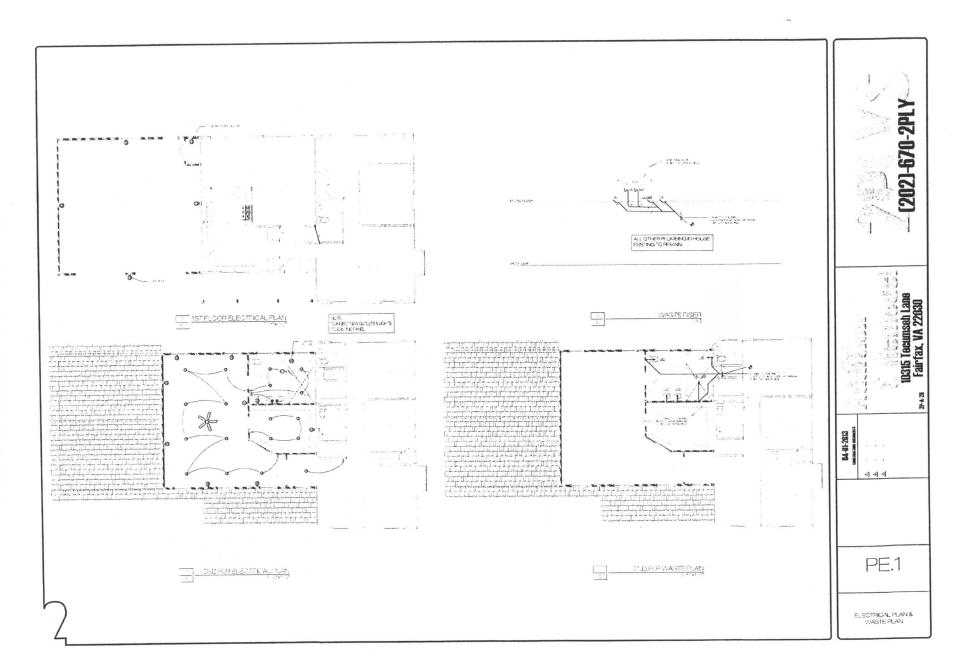


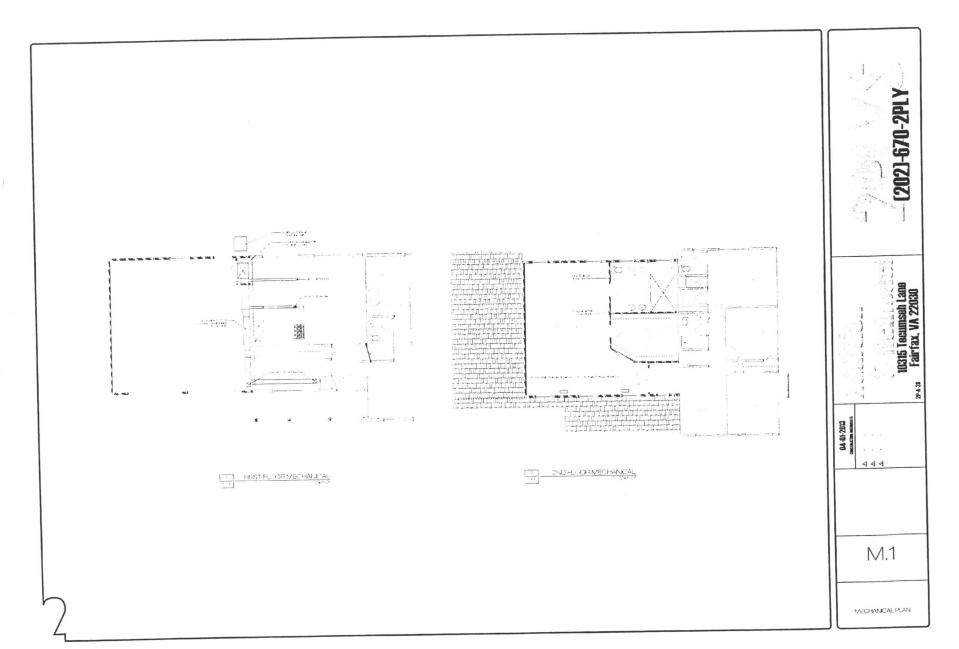


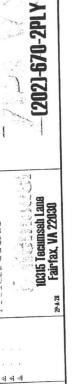






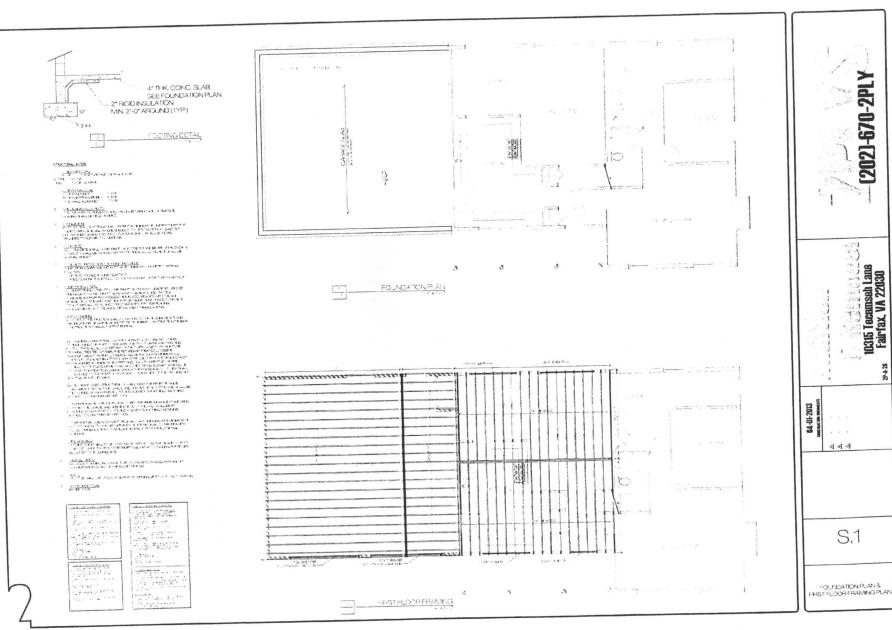






S.1

To



35

Existing Shed

Board of Zoning Appeals City of Fairfax

PROPOSED RESOLUTION NO. 2013-

RESOLUTION TO APPROVE THE REQUEST OF CORY BARTELT, PROPERTY OWNER, PURSUANT TO CITY CODE SECTIONS 110-390 AND 110-369, FOR A SPECIAL EXCEPTION TO CITY CODE SECTION 110-389(f) TO ALLOW AN EXISTING STORAGE SHED TO REMAIN THREE FEET FROM THE SIDE PROPERTY LINE WHERE A MINIMUM OF FIVE FEET IS REQUIRED IN THE R-3 RESIDENTIAL DISTRICT ON THE PROPOERTY LOCATED AT 10315 TECUMSEH LANE AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL 47-4-(907))-O-001.

WHEREAS, Cory Bartelt has submitted Application No. SE-13060072 requesting a Special Exception from City Code Section 110-389(f);

WHEREAS, the Board of Zoning Appeals has carefully considered the application, the recommendation of the staff, and testimony received at the public hearing; and

WHEREAS, the Board of Zoning Appeals has determined that the proposed Special Exception is appropriate because the proposal meets the criteria established by City Code Section 110-369(6) as follows:

- 1. The existing shed is consistent with the objectives of the Comprehensive Plan to improve the subject property;
- 2. The size and shape of the subject property are adequate to accommodate the existing shed;
- 3. There are siting constraints that limit the existing shed from being located elsewhere; and
- 4. The proposed setback reductions for the existing shed would minimally impact the adjacent property due to the screening fence.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Fairfax on this 2nd day of July, 2013, that Application No. SE-13060072 be and hereby is APPROVED, SUBJECT TO THE CONDITION THAT THE APPLICANT SHALL LIMIT THE SHED'S USE TO ONLY STORE POOL-RELATED SUPPLIES AND MATERIALS, AND THE APPLICANT SHALL MAINTAIN THE PRIVACY FENCE ALONG THE SIDE PROPERTY LINE.

Public hearing before Board of Zor	ning Appeals: July 2, 2013	
Adopted:		
	Vote	
Chairperson John O'B Clarke Jr.		
Member Edward Calabria Member Ellen Brouwer		
Member Robert Matthews		
Member Gary Perryman		
		Clasionary
		Chairperson
		Date
		Date
ATTEST:		
Alexis El-Hage,		
Secretary		

Proposed Garage

Board of Zoning Appeals City of Fairfax

PROPOSED RESOLUTION NO. 2013-

RESOLUTION TO APPROVE THE REQUEST OF CORY BARTELT, PROPERTY OWNER, PURSUANT TO CITY CODE SECTIONS 110-518 AND 110-369, FOR A SPECIAL EXCEPTION TO CITY CODE SECTION 110-517(3) TO REDUCE THE FRONT YARD BUILDING RESTRICTION LINE TO 19 FEET WHERE 25 FEET IS REQUIRED; AND A VARIANCE PURSUANT TO CITY CODE SECTION 110-1103(2) TO ALLOW THE PROPOSED GARAGE TO BE LOCATED FIVE FEET FROM THE EXISTING STORAGE SHED, WHERE A MINIMUM SEPARATION OF SEVEN FEET IS REQUIRED, TO CONSTRUCT AN ATTACHED TWO-CAR GARAGE IN THE R-3 RESIDENTIAL DISTRICT ON THE PROPOERTY LOCATED AT 10315 TECUMSEH LANE AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL 47-4-(907))-O-001.

WHEREAS, Cory Bartelt has submitted Application No. SE-13050024 requesting a Special Exception from City Code Section 110-517(3) and Application No. V-13060021 requesting a variance from City Code Section 110-389(f)(6);

WHEREAS, the Board of Zoning Appeals has carefully considered the applications, the recommendation of the staff, and testimony received at the public hearing; and

WHEREAS, the Board of Zoning Appeals has determined that the proposed Special Exception is appropriate because the proposal meets the criteria established by City Code Section 110-369(6) as follows:

(BZA to provide reasons)

WHEREAS, the Board of Zoning Appeals has determined that the proposed Variance is appropriate because the proposal meets the criteria established by city of Fairfax City Code Section 110-1103(2) as follows:

(BZA to provide reasons)

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Fairfax on this 2nd day of July, 2013, that Application No. SE-13050024 and Application No. V-13060021 be and hereby are APPROVED.

Public hearing before Board of Zoning Appeals: <u>July 2, 2013</u>

Variance V-13060021		
Adopted:	Vote	
Chairperson John O'B Clarke Jr. Member Edward Calabria Member Ellen Brouwer Member Robert Matthews Member Gary Perryman		
		Chairperson
		Date
ATTEST:		
Alex Plus		
Alexis El-Hage, Secretary		

Special Exception SE-13050024

Existing Shed

SAMPLE MOTION FOR DENIAL

I MOVE THAT THE BOARD OF ZONING APPEALS DENY THE REQUEST OF CORY BARTELT, PROPERTY OWNER, PURSUANT TO CITY CODE SECTIONS 110-390 AND 110-369, FOR A SPECIAL EXCEPTION TO CITY CODE SECTION 110-389(f) TO ALLOW AN EXISTING STORAGE SHED TO REMAIN THREE FEET FROM THE SIDE PROPERTY LINE WHERE A MINIMUM OF FIVE FEET IS REQUIRED IN THE R-3 RESIDENTIAL DISTRICT ON THE PROPERTY LOCATED AT 10315 TECUMSEH LANE AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL 47-4-((07))-O-001 FOR THE FOLLOWING REASONS:

(BZA to provide reasons)

Existing Shed

SAMPLE MOTION FOR APPROVAL WITH CONDITIONS (as recommended by staff)

I MOVE THAT THE BOARD OF ZONING APPEALS ADOPT THE ATTACHED RESOLUTION TO APPROVE THE REQUEST OF CORY BARTELT, PROPERTY OWNER, PURSUANT TO CITY CODE SECTIONS 110-390 AND 110-369, FOR A SPECIAL EXCEPTION TO CITY CODE SECTION 110-389(f) TO ALLOW AN EXISTING STORAGE SHED TO REMAIN THREE FEET FROM THE SIDE PROPERTY LINE WHERE A MINIMUM OF FIVE FEET IS REQUIRED IN THE R-3 RESIDENTIAL DISTRICT ON THE PROPERTY LOCATED AT 10315 TECUMSEH LANE AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL 47-4-((07))-O-001, SUBJECT TO THE CONDITION THAT THE APPLICANT SHALL LIMIT THE SHED'S USE TO ONLY STORE POOLRELATED SUPPLIES AND MATERIALS, AND THE APPLICANT SHALL MAINTAIN THE PRIVACY FENCE ALONG THE SIDE PROPERTY LINE.

Proposed Garage

SAMPLE MOTION FOR APPROVAL (as requested by applicant)

I MOVE THAT THE BOARD OF ZONING APPEALS ADOPT THE ATTACHED ORDINANCE TO APPROVE THE REQUEST OF CORY BARTELT, PROPERTY OWNER, PURSUANT TO CITY CODE SECTIONS 110-518 AND 110-369, FOR A SPECIAL EXCEPTION TO CITY CODE SECTION 110-517(3) TO REDUCE THE FRONT YARD BUILDING RESTRICTION LINE TO 19 FEET WHERE 25 FEET IS REQUIRED; AND A VARIANCE PURSUANT TO CITY CODE SECTION 110-1103(2) TO ALLOW THE PROPOSED GARAGE TO BE LOCATED FIVE FEET FROM THE EXISTING STORAGE SHED, WHERE A MINIMUM SEPARATION OF SEVEN FEET IS REQUIRED, TO CONSTRUCT AN ATTACHED TWO-CAR GARAGE IN THE R-3 RESIDENTIAL DISTRICT ON THE PROPOERTY LOCATED AT 10315 TECUMSEH LANE AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL 47-4-(907))-O-001.

(BZA provides reasons)

Proposed Garage

SAMPLE MOTION FOR DENIAL (as recommended by staff)

I MOVE THAT THE BOARD OF ZONING APPEALS DENY THE REQUEST OF CORY BARTELT, PROPERTY OWNER, PURSUANT TO CITY CODE SECTIONS 110-518 AND 110-369, FOR A SPECIAL EXCEPTION TO CITY CODE SECTION 110-517(3) TO REDUCE THE FRONT YARD BUILDING RESTRICTION LINE TO 19 FEET WHERE 25 FEET IS REQUIRED; AND A VARIANCE PURSUANT TO CITY CODE SECTION 110-1103(2) TO ALLOW THE PROPOSED GARAGE TO BE LOCATED FIVE FEET FROM THE EXISTING STORAGE SHED, WHERE A MINIMUM SEPARATION OF SEVEN FEET IS REQUIRED, TO CONSTRUCT AN ATTACHED TWO-CAR GARAGE IN THE R-3 RESIDENTIAL DISTRICT ON THE PROPOERTY LOCATED AT 10315 TECUMSEH LANE AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL 47-4-(907))-O-001 FOR THE FOLLOWING REASONS:

- 1. The proposal for an improvement that is intended to upgrade the subject site is consistent with the recommendations of the *Comprehensive Plan* to reinvest in existing properties. However, the extent of the request for relief from the City standard is not consistent with Plan objectives to preserve existing neighborhood character.
- 2. The site is adequate for the existing residential use and proposed by-right additions; however, the site is inadequate in size and shape to accommodate the proposed addition.
- 3. The proposal for reduction of the required front yard will set a precedent for granting relief that could negatively affect standards for neighborhood improvement and the streetscape.
- 4. The applicant has not demonstrated that the requirements of this chapter are unreasonable or impractical due to unusual building design, lot shape or mature vegetation; or there are practical siting constraints where original placement of the dwelling on the lot prohibits reasonable improvements that meet existing requirements.
- 5. The proposal to reduce the required front yard to 19 feet where 25 feet is required does not maximize quality residential development to the streetscape.



City of Fairfax

Board of Zoning Appeals

Regular Meeting July 2, 2013 7:00 p.m. Room 100 AGENDA

- 1. Call to Order
- 2. **Opening of the Public Hearing with Chairperson's Introduction-** Briefing on the Board of Zoning Appeals
- 3. Adoption of the Agenda

ACTION:

4. SE-13050024/V-13060021

Request of Cory Bartelt, property owner, pursuant to City Code Sections 110-518 and 110-369, for a special exception to City Code Section 110-517(3) to reduce the front yard building restriction line to 19 feet where a 25-foot setback is required for construction of an addition (attached two-car garage) to the existing single-family detached residential structure and pursuant to City Code Section 110-1103(2) for a variance to allow the proposed garage to be located approximately five feet from the existing 102-square foot accessory structure (storage shed) where a minimum separation of seven feet is required in the R-3 Residential District on the premises known as 10315 Tecumseh Lane, and more particularly described as tax map parcel 47-4-((07))-O-001.

ACTION:

5. **SE-13060072**

Request of Cory Bartelt, property owner, pursuant to City Code Sections 110-390 and 110-369, for a special exception to City Code Section 110-389(f) to allow an existing 102-square foot accessory structure (storage shed) to remain in the side yard located three feet from the side property line where a minimum setback of five feet is required in the R-3 Residential District on the premises known as 10315 Tecumseh Lane, and more particularly described as tax map parcel 47-4-((07))-O-001.

The City of Fairfax is committed to the letter and spirit of the Americans with Disabilities Act. To request a reasonable accommodation for any type of disability call 703-385-7930, (TTY 711).

ACTION:

6. Consideration of February 5, 2013 Meeting Minutes

ACTION:

7. Consideration of March 5, 2013 Meeting Minutes

ACTION:

8. Consideration of April 2, 2013 Meeting Minutes

ACTION:

- 9. Staff Comments
- 10. Board Comments
- 11. Adjournment

MINUTES OF REGULAR MEETING OF THE BOARD OF ZONING APPEALS CITY OF FAIRFAX CITY HALL, FAIRFAX, VIRGINIA February 5, 2013

Members Present: John O'Brien Clarke Jr., Chairman

Ellen Brouwer Edward Calabria Robert Matthews Gary Perryman

Staff Present: Michelle Coleman, Zoning Administrator, Monty Lowe, Deputy Zoning Administrator and Alexis El-Hage, Secretary

- 1. Call to Order: Chairman Clarke called the meeting to order.
- 2. **Opening of the Public Hearing:** Chairman Clarke opened the public hearing at 7:00 p.m. and explained the procedure for the meeting.
- 3. Adoption of Agenda: Approved, 5:0
- 4. Public Hearing to consider SE-11050169 the request of Daniel and Allison Vess, Property Owners, pursuant to City Code Sections 110-518 and 110-369, for a special exception to City Code Section 110-517(3) to reduce the front yard building restriction line to 10 feet where a 25-foot setback is required for construction of an addition (attached two-car garage) to the existing single-family detached residence in the R-3 Residential District on the premises known as 9811 Hampton Lane, and more particularly described as tax map parcel 58-1-((14))-006.

Mr. Lowe presented the staff report which has been incorporated into the record by reference. Staff recommended denial of the applications.

The property owner, Daniel Vess addressed the Board and answered questions from members.

Jane Woods of 3527 Queen Anne Drive spoke on behalf of the application.

Stephen Maloney of 9813 Hampton Lane spoke on behalf of the application.

Discussion:

Agenda Item:

Mr. Calabria had mixed feelings. He felt if they did not approve the application they would be telling others not to try. He decided to defer to his colleagues for their comments.

Mr. Matthews had mixed feelings. He felt the project was close to the sidewalk but there was no line of sight issue.

Mr. Perryman was not in favor of the application and would not be in favor of a one car garage either. He felt there was a line of sight issue.

Mrs. Brouwer was concerned about the fence on the property but was told it predated the fence ordinance. She also felt a one car garage was more than adequate and was not willing to have it extend further.

Mr. Clarke felt reducing the setback to 10 feet was too much. He proposed perhaps making the project a one-car garage and suggested deferring the application.

At this time Mr. Matthews moved to defer the application SE-11050169.

Mr. Calabria seconded the motion. Motion Approved 4:1

5. Public Hearing to consider SE-13010065 the request of Julie Guy, Property Owner, pursuant to City Code Sections 110-390 and 110-369, for special exceptions to City Code Section 110-389(f) to allow an existing 120 square-foot accessory structure (storage shed) that is approximately 11 feet in height to remain in the rear yard located two-feet from the side property line (where a minimum setback of 12 feet is required) and one-foot six inches from the rear property line (where a minimum of 11 feet is required) in the R-3 Residential District on the property located at 4019 Virginia Street and more particularly described as Tax Map Parcel 57-4-((05))-02-013.

Mr. Lowe presented the joint staff report which has been incorporated into the record by reference. Staff recommended denial of the applications.

The property owner, Julie Guy addressed the Board and answered questions from members.

Discussion:

Mr. Calabria stated he was okay with leaving the sheds in their present location as there was no other place to put them.

Mrs. Brouwer felt the second shed would look better if it was closer to the house.

Mr. Matthews felt there is a hole in the process however it is City Code. He was unsure what to do with the second shed.

Mr. Perryman felt City Code needed to be followed and since neither shed was in compliance he was not in favor of the application.

Mr. Clarke stated that the letters of opposition that had been received should be discounted. He sympathized with the applicant and felt there was a break down in the process however supported staff's decision for denial.

At this time Mrs. Brouwer moved to deny the application SE-13010065, with the following conditions:

- 1. The proposal to allow multiple sheds within required setbacks does not promote the objectives of the Comprehensive Plan or contribute to neighborhood character.
- 2. The size and shape of the subject site is adequate for the existing residential use. Expansion of the residential use, including the addition of accessory structures, will be constrained by the lot size.
- 3. The proposed setback reduction for the existing accessory structures are expected to contribute to loss of privacy and reduction of light and air to adjacent properties.

Mr. Matthews seconded the motion. Motion Denied 5:0

6. Public Hearing to consider SE-12100163/V-12120111 the request of Julie Guy, Property Owner, pursuant to City Code Sections 110-390 and 110-369, for a special exception to City Code Section 110-389(f) to allow an existing 48-square-foot accessory structure (storage shed) that is approximately eight feet six inches in height to remain in a side yard where such structures are not permitted; and a variance to allow the same 48-square-foot shed to be located approximately six feet from the principal structure where a minimum separation of seven feet is required in the R-3 Residential District on the

property located at 4019 Virginia Street and more particularly described as Tax Map Parcel 57-4-((05))-02-013.

At this time Mrs. Brower moved to deny the application SE-12100163, with the following conditions:

- 4. The proposal to allow multiple sheds within required setbacks does not promote the objectives of the Comprehensive Plan or contribute to neighborhood character.
- 5. The size and shape of the subject site is adequate for the existing residential use. Expansion of the residential use, including the addition of accessory structures, will be constrained by the lot size.
- 6. The proposed setback reduction for the existing accessory structures are expected to contribute to loss of privacy and reduction of light and air to adjacent properties.

Mr. Perryman seconded the motion. Motion Denied 4:1

At this time Mrs. Brower moved to deny the application V-12120111, with the following conditions:

1. The applicant failed to demonstrate that strict application of the ordinance will produce an undue hardship related to site characteristics, conditions or circumstances.

Mr. Perryman seconded the motion. Motion Denied 4:1

7. Public Hearing to consider SE-13010066 the request of Julie Guy, Property Owner, pursuant to City Code Sections 110-518 and 110-369, for special exception to City Code Section 110-517(4) to allow the expansion of a nonconforming residential structure by addition of a front porch approximately four feet 10 inches from a side property line where a minimum setback of eight feet is required in the R-3 Residential District on the property located at 4019 Virginia Street and more particularly described as Tax Map Parcel 57-4-((05))-02-013.

At this time Mr. Perryman moved to approve the application SE-13010066, with the following conditions:

- 1. The applicant shall ensure the front porch remain open and unenclosed (no screening, no lattice, no windows, glass or plastic).
- 2. The applicant shall ensure the front porch is not enlarged or altered in any manner other than as approved with the special exception.

Mr. Matthews seconded the motion. Motion Approved 4:1

8. Consideration of the 2012 Annual Report

ACTION: Approved 5:0

9. Election of Chairperson, Vice-Chairperson and Secretary

ACTION: Mr. Clarke was re-elected Chairman, Mrs. Brouwer was re-elected Vice-Chairman, and Alexis El-Hage was re-elected Secretary.

10. Consideration of November 6, 2012 Meeting Minutes:

ACTION: Approved 5:0

- 11. Staff Comments General discussion.
- 12. Board Comments General discussion.
- 13. Adjournment Meeting adjourned (9:30 pm)

ATTEST:

Alexis El-Hage, Secretary

MINUTES OF REGULAR MEETING OF THE BOARD OF ZONING APPEALS CITY OF FAIRFAX CITY HALL, FAIRFAX, VIRGINIA March 5, 2013

Members Present: Edward Calabria

Robert Matthews Gary Perryman

Staff Present: Michelle Coleman, Zoning Administrator and Monty Lowe, Deputy Zoning Administrator

1. Call to Order: Mr. Calabria called the meeting to order.

- 2. Opening of the Public Hearing: Mr. Calabria opened the public hearing at 7:00 p.m. and explained the procedure for the meeting.
- 3. Adoption of Agenda: Approved, 3:0
- 4. Public Hearing to reconsider SE-11050169 request of Daniel and Allison Vess, Property Owners, pursuant to City Code Sections 110-518 and 110-369, for a special exception to City Code Section 110-517(3) to reduce the front yard building restriction line to 10 feet where a 25-foot setback is required for construction of an addition (attached two-car garage) to the existing single-family detached residence in the R-3 Residential District on the premises known as 9811 Hampton Lane, and more particularly described as tax map parcel 58-1-((14))-006.

Mr. Lowe summarized the staff report which has been incorporated into the record by reference. Staff recommended denial of the application.

The property owner, Daniel Vess addressed the Board and asked for a deferral.

Discussion:

At this time Mr. Matthews moved to defer the application.

Mr. Calabria seconded the motion. Motion Deferred 3:0

5. Staff Comments - General discussion.

6. Board Comments - General discussion.

7. Adjournment - Meeting adjourned (7:15 pm)

ATTEST:

Alexis El-Hage, Secretary

MINUTES OF REGULAR MEETING OF THE BOARD OF ZONING APPEALS CITY OF FAIRFAX CITY HALL, FAIRFAX, VIRGINIA April 2, 2013

Members Present: John O'Brien Clarke Jr., Chairman

Ellen Brouwer Edward Calabria Robert Matthews Gary Perryman

Staff Present: Michelle Coleman, Zoning Administrator and Monty Lowe, Deputy Zoning Administrator

1. Call to Order: Chairman Clarke called the meeting to order.

2. Opening of the Public Hearing: Chairman Clarke opened the public hearing at 7:00 p.m. and explained the procedure for the meeting.

3. Adoption of Agenda: Approved, 5:0

4. Public Hearing to reconsider SE-11050169 request of Daniel and Allison Vess, Property Owners, pursuant to City Code Sections 110-518 and 110-369, for a special exception to City Code Section 110-517(3) to reduce the front yard building restriction line to 10 feet where a 25-foot setback is required for construction of an addition (attached two-car garage) to the existing single-family detached residence in the R-3 Residential District on the premises known as 9811 Hampton Lane, and more particularly described as tax map parcel 58-1-((14))-006.

Mr. Lowe presented the staff report which has been incorporated into the record by reference. Mr. Lowe noted the change in the application changing the request to a 14 foot setback reduction where a 25-foot setback is required for construction of an addition. Staff recommends denial of the application.

The property owner, Daniel Vess addressed the Board and answered questions from members.

Discussion:

Mr. Perryman stated he would disapprove of the application. It is a corner lot and a line of sight issue.

The City of Fairfax is committed to the letter and spirit of the Americans with Disabilities Act. To request a reasonable accommodation for any type of disability call 703-385-7930, (TTY 711).

Mr. Matthews noted that other three foot setback reductions had been approved before but didn't see how such a big reduction could be approved.

Mr. Calabria took an opposing view. He had no issues with the fence or line of sight. He was willing to compromise from 10 feet to 14 feet which matched his previous position.

Mrs. Brouwer had an issue with the substantial reduction from 25 feet with the precedence setting moving to a 14 foot setback could have an impact with other homes on the street.

Mr. Clarke originally had a problem with going with the 10 foot setback reduction but felt like going to a 15 foot reduction would be okay so he was okay with a 14 foot reduction however felt they may be setting precedence.

The Board was going to vote to deny the application and asked the applicant if it was okay to have a one car garage with only a 7 foot encroachment which he agreed to.

At this time Mr. Calabria moved to approve the application SE-11050169, with the following conditions:

- 1. The applicant shall construct the proposed addition in substantial conformance with the plat for 9811 Hampton Lane dated June 29, 2000, as amended by the applicant and submitted with subject application and further revised to reduce the proposed garage to a 16-foot-wide one car garage.
- 2. The applicant shall ensure the garage addition is used principally for vehicle storage.
- 3. The applicant shall amend the elevations of the garage addition to depict brick or stone elements including but limited to a watertable that is compatible with the existing materials subject to review and approval by the Zoning Administrator.
- 4. The applicant shall install plant material along Queen Anne Drive or along the foundation to mitigate the reduced yard area and add to the residential character of the garage addition, subject to review and approval by the Zoning Administrator.

Mr. Matthews seconded the motion. Motion Approved as Amended 4:1

- 5. Staff Comments General discussion.
- 6. Board Comments General discussion.

Agenda Item:

. Adjournment - Meeting adjourned (7:45 pm)
TTEST:
lexis El-Hage, Secretary



DESIGN INFORMATION

OWNER/CONTRACTOR

CORY BARTELT 703.862.2679

FROJECT INFORMATION SHEETS OS COVERSHEET EXT EXISTE IGFLOOR PLANS

APCHITECTURAL SHEETS

- D.I SENOLITON PLANS
 AI CONSTRUCTON PLANS
 A2 POOF PLAN & SITE PLAN
 A3 EXTERIOR FILL VALIONS
 A4 BUILLING SECTIONS

- CINCAREPING SHEETS PE1 WASTE PLAN & RECTPICAL PLAN ACT VECHANICAL PLAN
- S1 FOUNDATION PLANS
 FIRST PLOCE FRANTING
 S2 RECOND FLOCE FRANTING &
 RCCF FRANTING

PREPARED BY

ADAM CRAIN 540.818.5087 ADAM@2PLYS.COM

DRAWING STANDARDS

DRAWING INDEX

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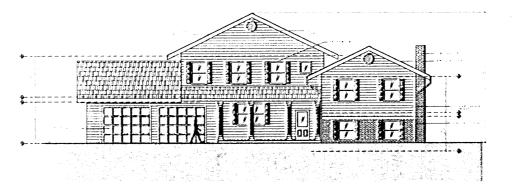
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SCOPE OF WORK

MASTER SUITE ADDITION ABOVE KITCHEN & GARAGE ADDITION TO EXISTING SINGLE FAMILY RESIDENCE.



PROJECT INFORMATION

CODE/ANALYSIS

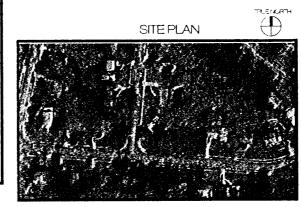
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BUILDING CODE NECRYATION	
INTERNATIONAL PESIDENTIAL CODE	2002
ZCNING NECEVATION	
LCTSEE	0.317 ACHES = 13 809 SQ FT
FCOTERNT (EVISTING)	1.309
TOTAL FLOOR AREA (EXISTING)	2,107
FCC"PHINT (PTICPCSED)	2,102
TOTAL FLOOR WHEA (PHOPOSED)	2,921
LOT COVERVICE (FPICHOSED)	2,102 OF 13,809 = 15,22%
MAX BUILDING HEGHT	35'-6"
MAXFAR	0.25 = 3,425 MAX
SETBACK FRONT	?5-0 *

ETBACK SIDE

ADDRESS

10315 TECUMSEH LANE, FAIRFA VA 22030





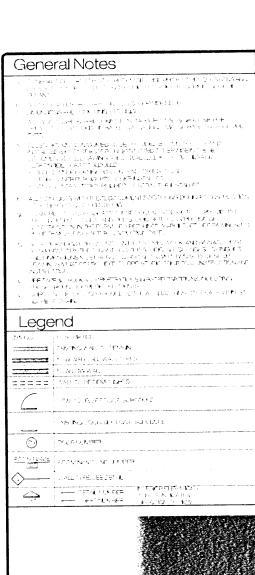


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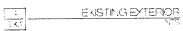
COVER SHEET & CODE ANALYSIS

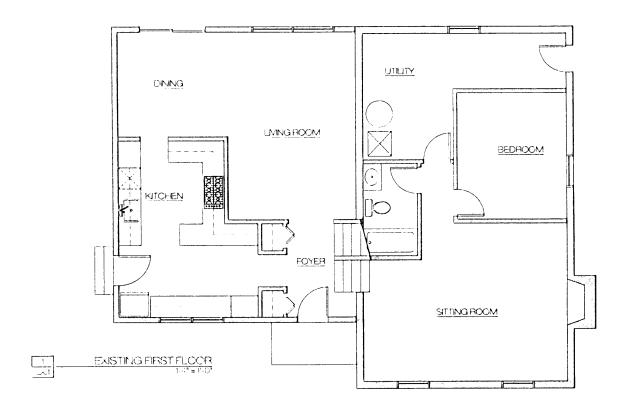


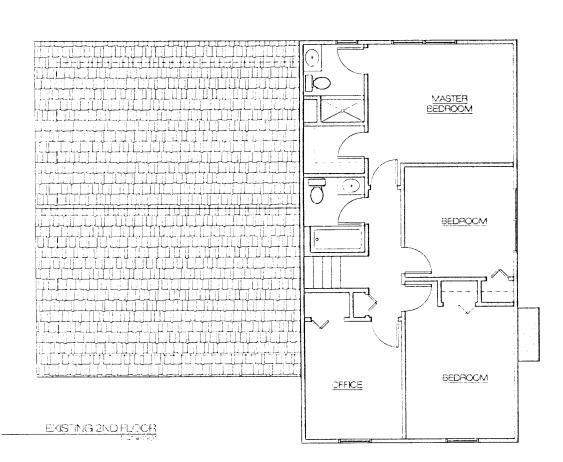


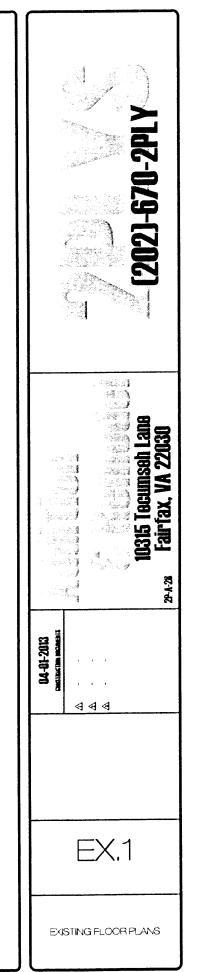
EXISTING EXTERIOR

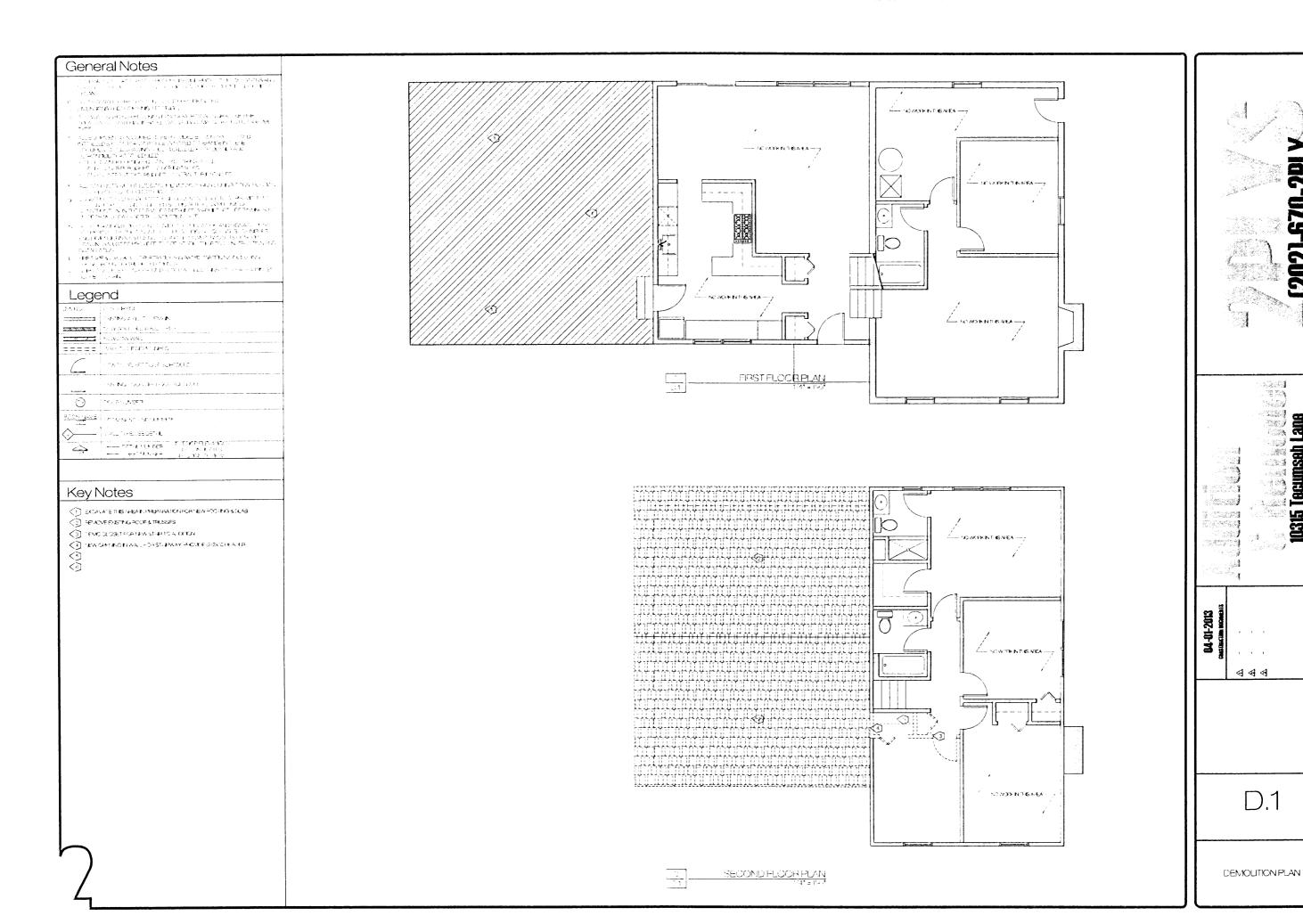






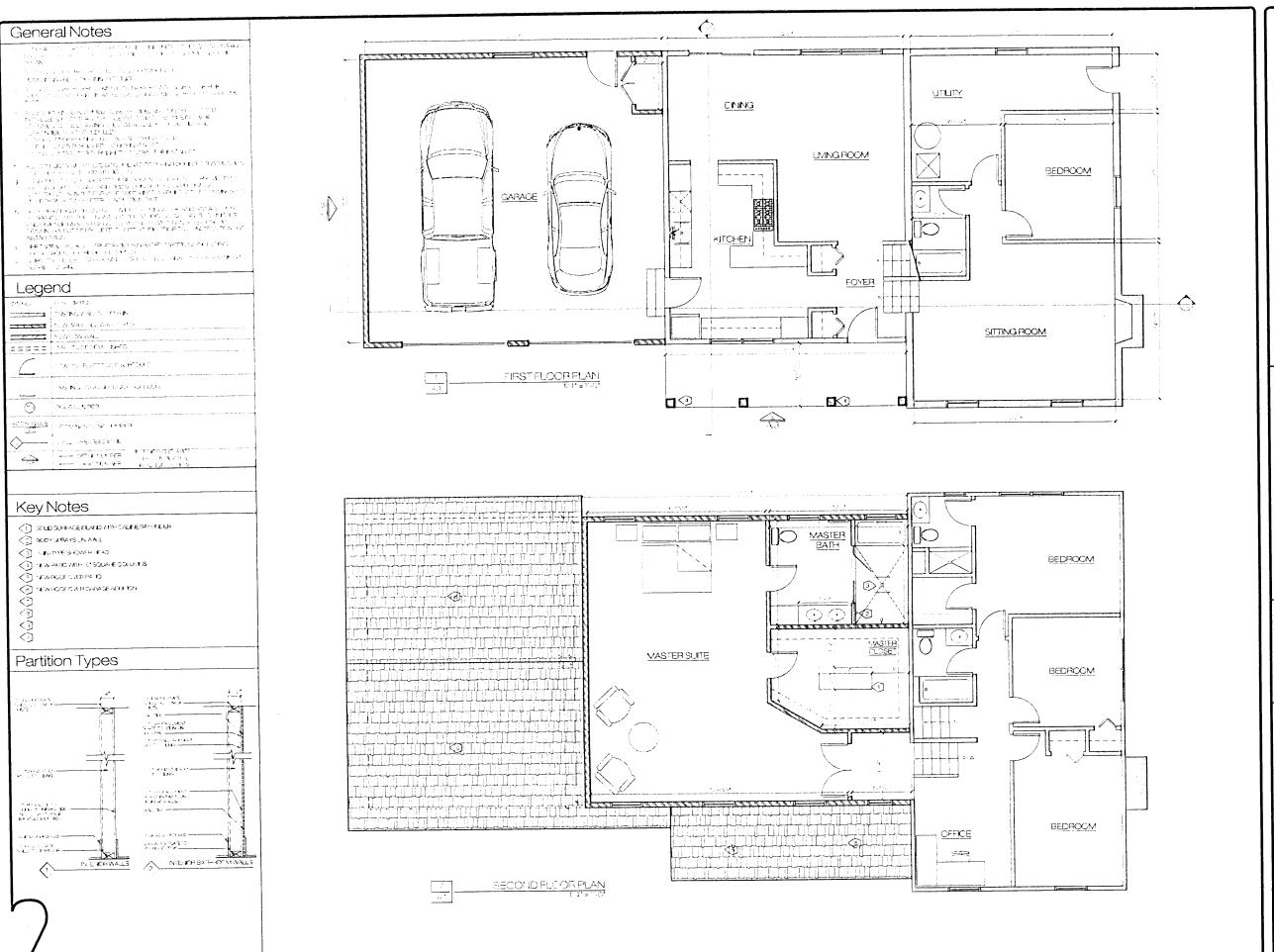


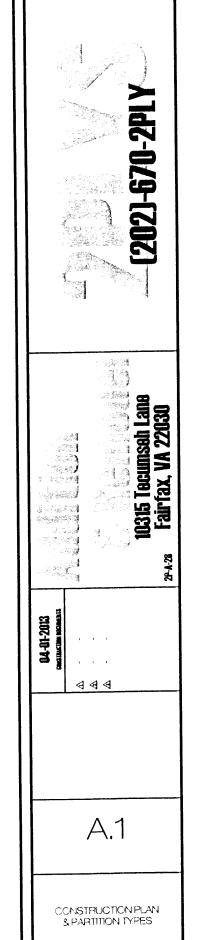


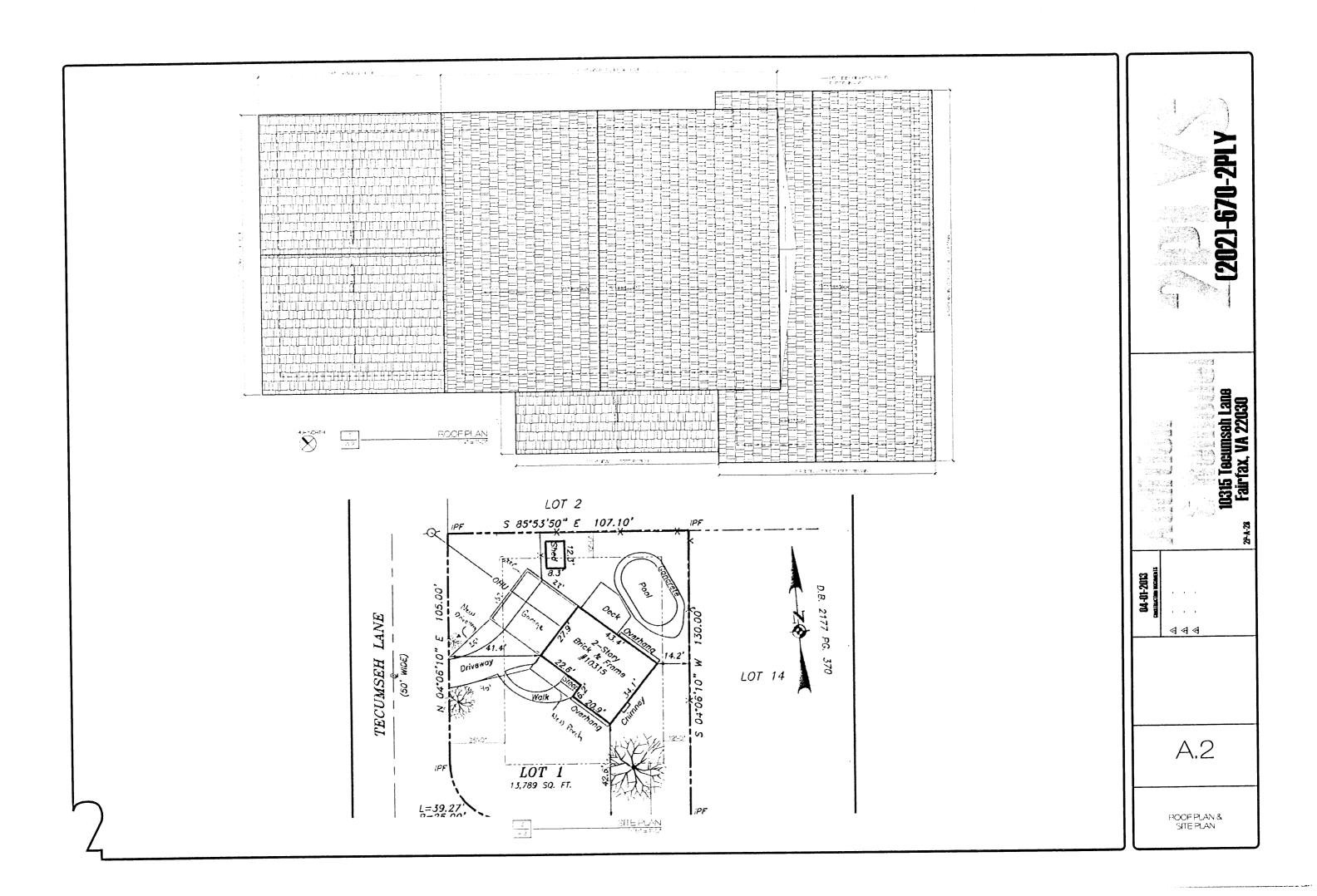


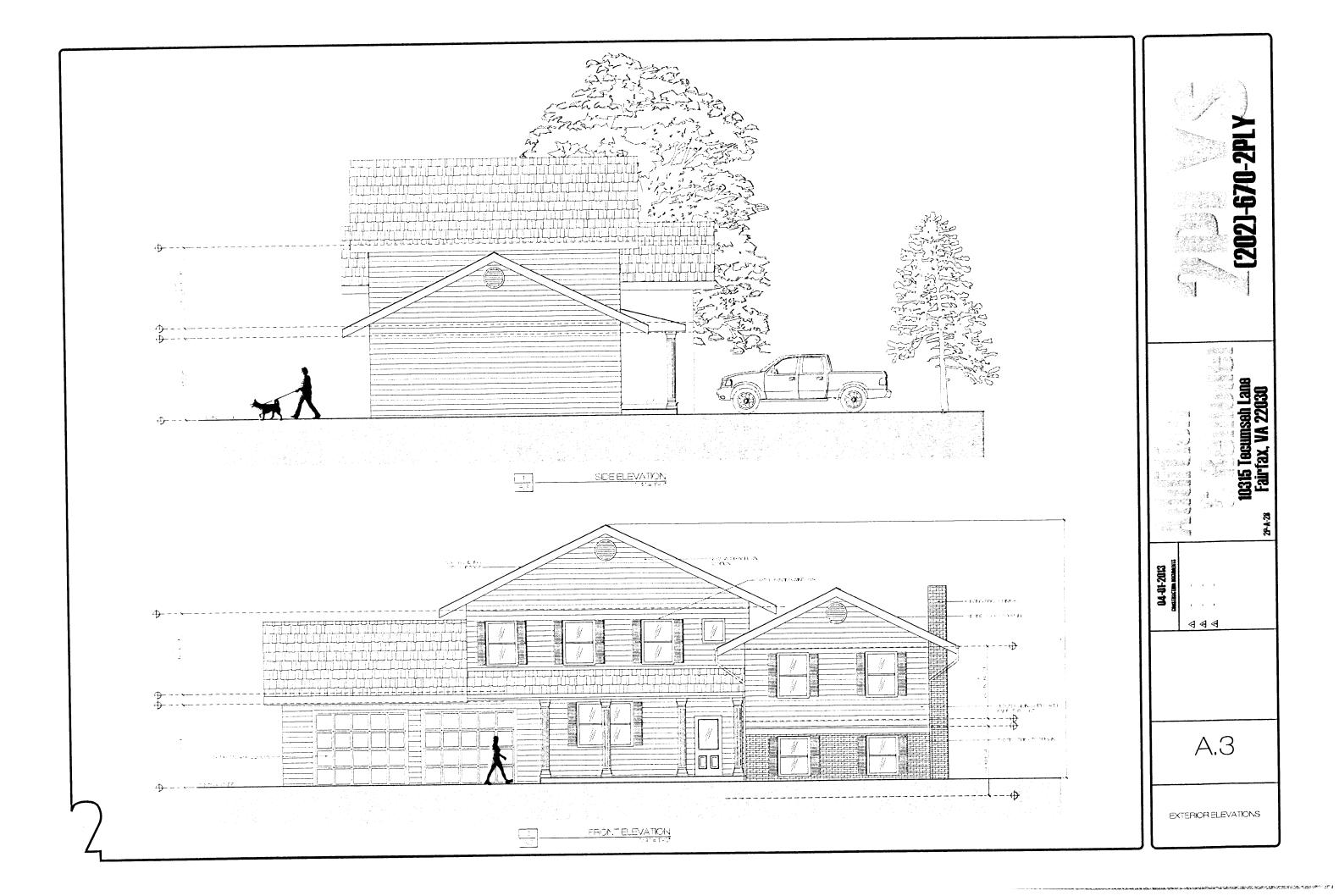
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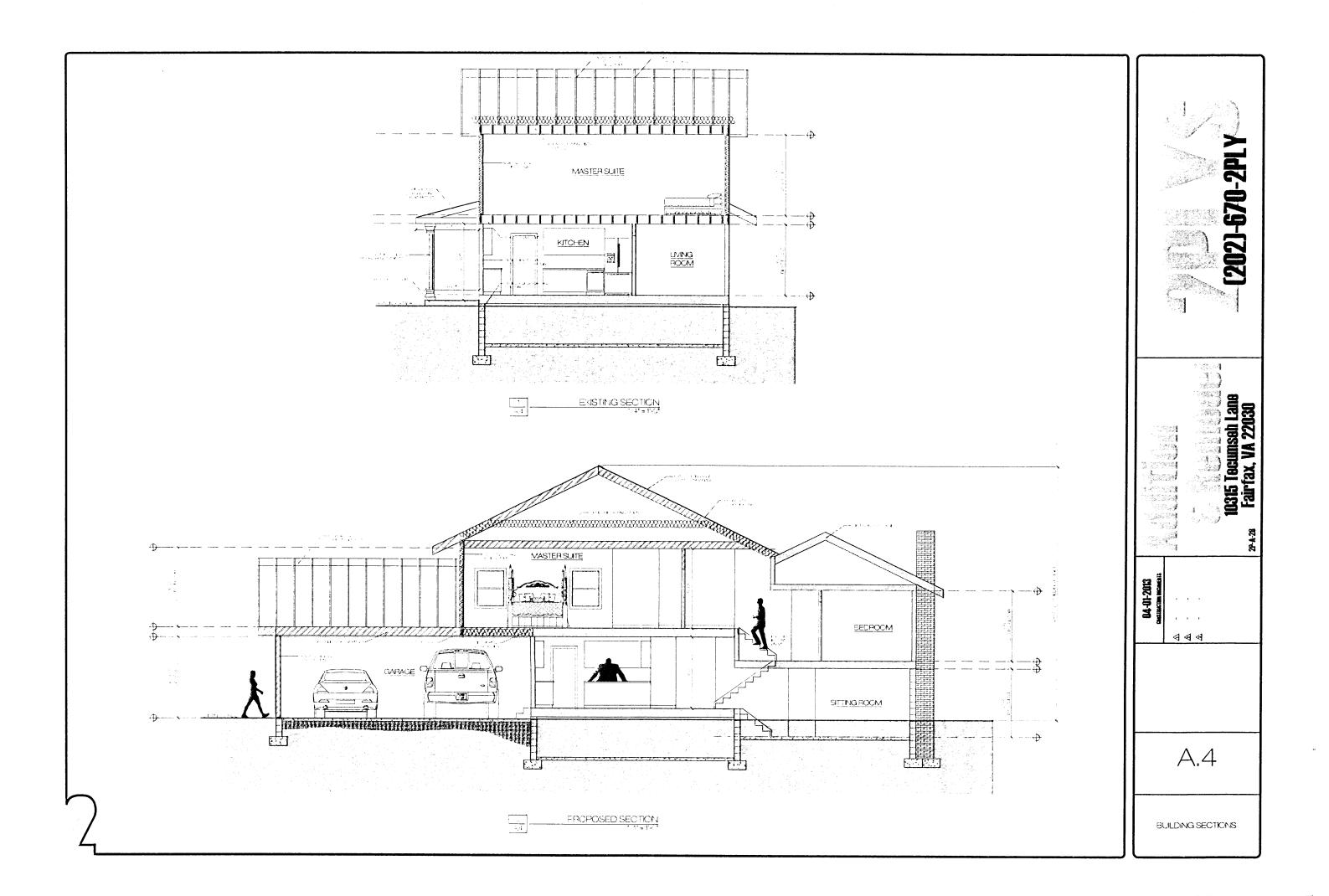
10315 Tecumsah Lana Fairfax, VA 22030

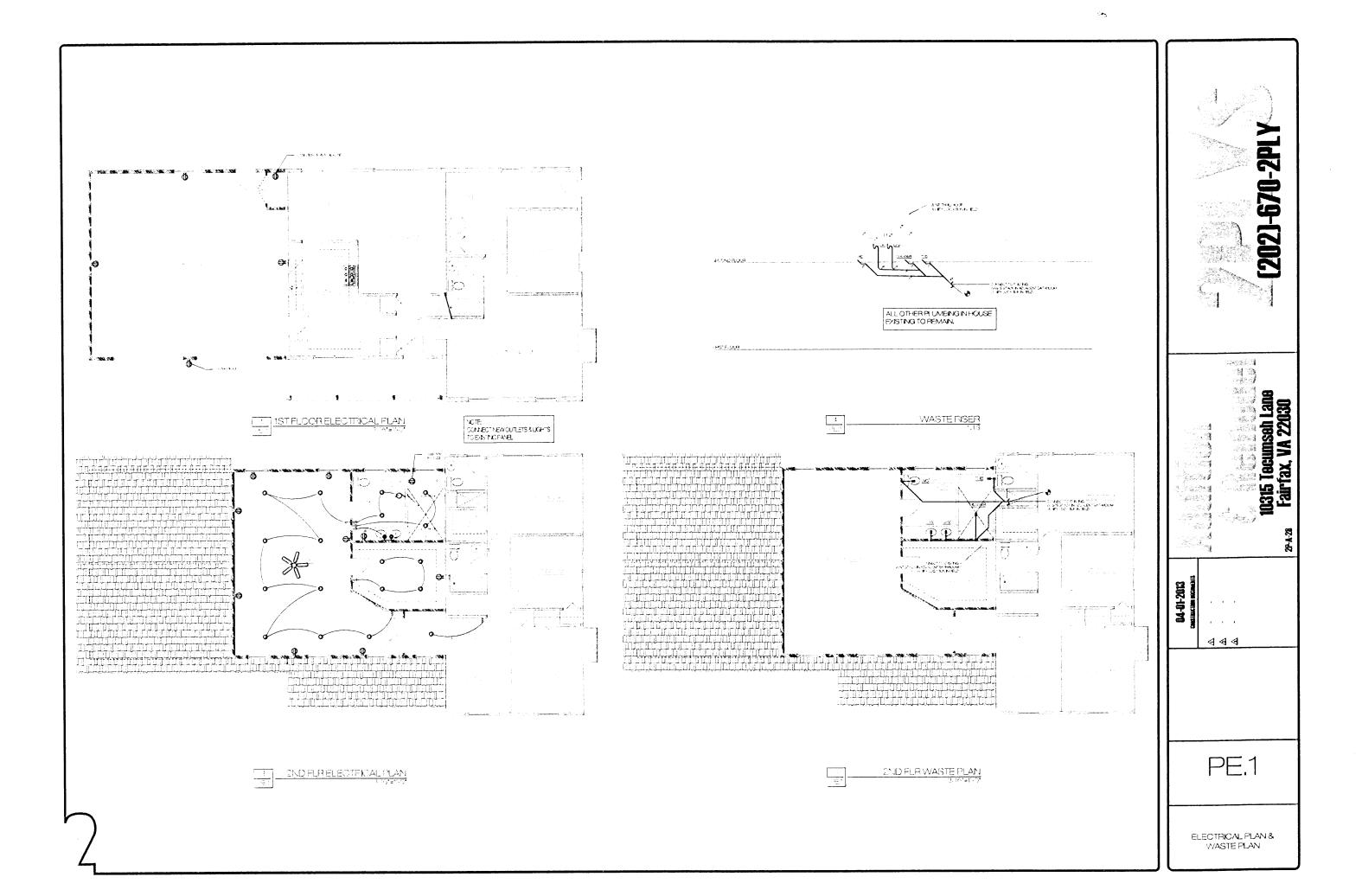


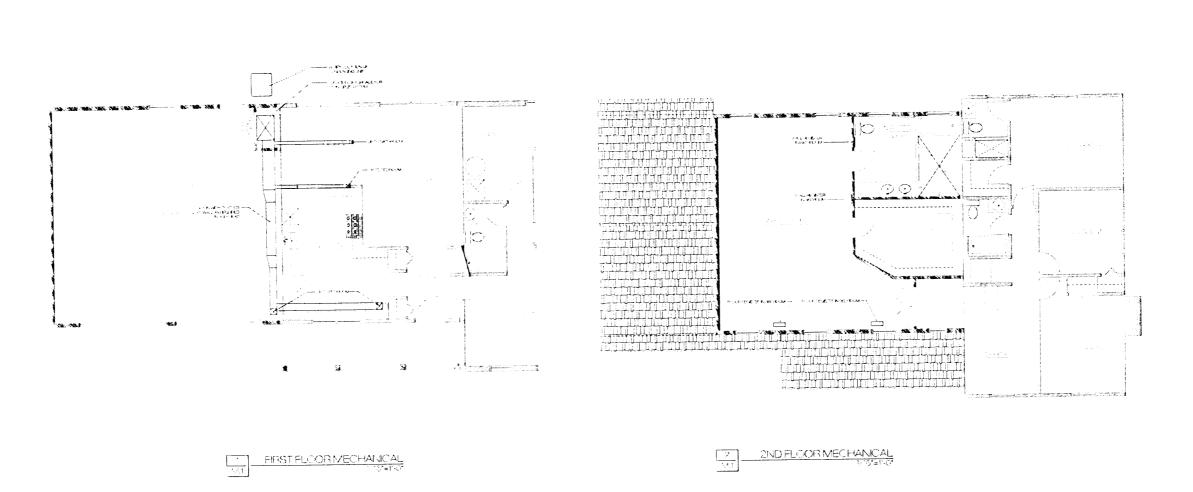






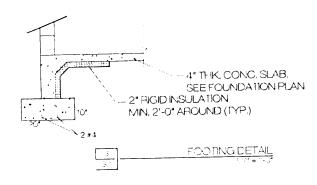






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MECHANICAL PLAN



STRUCTURAL NOTES

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